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The Solicitors' Journal and Reporter.

LONDON, NOVEMBER 19, 1887.

CURRENT TOPICS.

LORD JUSTICE LINDLEY has so far recovered from his recent attack that it is anticipated that he will be able to resume his duties on the bench early next week.

THERE HAS BEEN an apprehension that the last excellent addition to the bench of the High Court would have to be atoned for by an appointment to that bench of the kind known as "political"; let us hope that the latest nomination to the county court bench will do instead. MR. MORGAN HOWARD, Q.C., M.P., who has been appointed to the judgeship of the Cornish County Courts, has been nearly thirty years at the bar, and we believe is a painstaking lawyer and a very estimable gentleman. It is perhaps more important to observe, that he has also borne the brunt of three unsuccessful contests in the Conservative interest for Lambeth, and has for the last two years been a supporter of the Government in the House of Commons. He is also, the *Times* informs us, "a Fellow of the Royal Geographical Society, a Fellow of the Royal Historical Society, an Hon. Associate of the Royal Institute of British Architects, and one of the Council of the British Archaeological Association."

AN EX PARTE APPLICATION was made the other day to Mr. Justice CHITTY for leave to transfer an action to his lordship's branch of the court. The learned judge allowed the application, which was by way of motion, to be made on a day not set apart for the hearing of motions, but for the hearing of witness actions, taking the opportunity of observing that there seemed to be a practice growing up of turning every day into a motion day. The practice is, as is well known, for a special day to be set apart for the hearing of motions, only motions of an urgent character or by leave of the court being heard on other days. This appears at first sight fair and in the interest of suitors; but, as a matter of fact, there are a great many motions not of an exceptionally urgent nature, but which the parties at the same time are interested in having heard with reasonable despatch. These motions come on upon the regular motion days, but it is then found that the court is blocked by a number of heavy motions in which leaders are briefed, with the result that the court does not "get behind the bar," and none but the heavy motions are heard. This often works serious delay and causes great inconvenience to suitors. MR. JUSTICE CHITTY might have said with equal force that a practice has grown up of treating motion day as a day for hearing causes. Why could there not be a day for hearing "short" motions—i.e., motions the hearing of which would only take ten minutes—corresponding to "short" causes?

AN ATTEMPT was made this week, in the case of *Reg. v. Ivimey and another*, before the Divisional Court, to obtain a writ of *certiorari* for the removal of the case from the Central Criminal Court to the Queen's Bench Division on the ground that a special jury was desirable. An indictment had been drawn against the applicants for a felony. SIR CHARLES RUSSELL, Q.C., in support of

the rule, claimed that, under 16 & 17 Vict. c. 30, s. 4, an indictment, even for a felony, could be removed on any of the grounds therein stated, one of which is the desirability of a special jury. MR. JUSTICE STEPHEN replied that, in his opinion, the provisions of that statute were only intended to apply to misdemeanours, and he challenged counsel to cite any case where a special jury had been granted for a felony. It was then urged that, upon the evidence in the depositions, a misdemeanour might, and probably would, be charged—namely, for conspiracy to defraud—and the writ would be made applicable only for such an eventuality; but the court cited *Reg. v. Mayne* (32 W. R. 95) where a Divisional Court held that any application to be allowed to abandon a charge for felony for one of misdemeanour, in order to secure a special jury, must be made to the judge at the assize before which such charge is pending. A third course was then tentatively suggested, that the case should be ordered to stand in the judge's list at the Central Criminal Court, but MR. JUSTICE STEPHEN intimated that some judges objected to any interference of the Divisional Court with that list, which was in fact not a subject for jurisdiction at all. It was customary for the officials to leave it to the judge on duty to select the cases which he considered advisable. This last suggestion seems to throw some light on the real object of the applicants for the writ of *certiorari*.

MUCH HAS BEEN SAID of late about an alleged "right of public meeting," and it appears to be contended that this right is so high and extensive that an obstruction of a thoroughfare otherwise indictable (see *R. v. Carlile*, 6 C. & P. 636) or punishable on summary conviction, may be justified on the ground that the right has been exercised. Positive right there is clearly none. The right of petition and the right of free speech are protected by the Bill of Rights, but neither in that statute nor in any other nor at common law is there any positive right for the Queen's subjects to assemble together similar in character to their right to use the Queen's highways for all reasonable purposes. There is, of course, a negative right to assemble, but this is a right which the law has always regarded with jealousy, as tending to produce an "unlawful assembly," defined by Hawkins P. C. (bk. 1, c. 65, s. 8), as "any meeting whatsoever of great numbers of people, with such circumstances of terror as cannot but endanger the peace and raise fears and jealousies among the subjects of the realm," which kind of assembly has been dealt with by the Legislature by the well-known Riot Act, by the 14 Car. 2, c. 5, against tumultuous petitioning (expressly held by Lord Mansfield in *Lord George Gordon's case*, Dougl. 591, not to have been repealed by the Bill of Rights), by which not more than ten persons may repair with a petition to the Houses of Parliament, and by 57 Geo. 3, c. 19, by which not more than fifty persons may meet "in any street, square, or open place" in Westminster or Middlesex, within one mile of Westminster Hall (except in the parish of St. Paul's, Covent Garden) for the purpose of considering political questions "on any day on which either House of Parliament shall sit or on which the Superior Courts shall sit in Westminster Hall" (which latter expression, by virtue of the Courts of Justice Act of 1865, includes the Royal Courts of Justice). It will no doubt be argued that as this Act prohibits political meetings in the locality named upon certain days and at certain times, it impliedly authorizes, or at any rate recognizes, the legality of those meetings on other days and at other times, but such an argument must necessarily fail. All that the Act does is to prohibit the specified meetings conclusively and *ipso facto*, leaving other meetings to be dealt with by other statute or common law; and even if the Act recognized the legality of an illegal meeting the rule of construction would apply (see Maxwell on Statutes, p. 376, citing *Dore v. Gray*, 2 T. R. 258, and numerous other cases) that "an Act of Parliament does not alter the law by merely betraying an erroneous opinion of it."

THE LAW of special constables, which has just come into some prominence, is contained (except in municipal boroughs, in regard to which it is partially regulated by the Municipal Corporations Act) in the three statutes 1 & 2 Will. 4, c. 41; 5 & 6 Will. 4, c. 43; and 5 & 6 Vict. c. 109; the first regulating their appoint-

ment, duties, liabilities, compensation, and powers; the second allowing the appointment of persons to act in other parishes than those in which they reside; and the third (the Parish Constable Act, see sections 5 and 6), containing a long list of exemptions from liability to serve of persons under twenty-five or above fifty-five years of age, ministers of religion, professional men actually practising, officers of the courts, Customs and Excise officers, parish clerks, overseers, relieving officers, and others; the first Act imposing the liability to serve as special constables upon all not "legally exempt from serving the office of constable," which term must mean parish constable, as this is the only constabulary office which ever was compulsory. The principal provisions of 1 & 2 Will. 4, c. 41, which is a long and comprehensive Act, are these. The jurisdiction to appoint the constables is vested in the county justices, and arises when it is made known to any two or more of them "that any tumult, riot, or felony has taken place or may be reasonably apprehended." The number and the period of service may be as the justices think fit. The penalty for refusal to serve is (section 8) not more than five pounds unless the offender "shall prove that he was prevented by sickness or such other unavoidable accident as shall be, in the judgment of the justices, a sufficient excuse." The justices (section 13) may order from time to time such reasonable allowances for trouble, loss of time, and expenses as they think fit. When appointed, the special constables have (section 5), not only within the parish for which they are appointed, but also throughout the entire jurisdiction of the justices who appointed them, "all such powers, authorities, advantages, and immunities," and are liable to "all such duties and responsibilities as any constable duly appointed" within his constableness by virtue of the common law of this realm, so that (see *Steph. Com.*, vol. iv., p. 349) they may arrest anyone for a breach of the peace committed in their view, and carry him before a justice of the peace, and cannot, by virtue of 24 Geo. 2, c. 44, be sued for any act done in their office after six months from the commission of the act. As to persons resisting them, it is provided by section 11 that "if any person shall assault or resist" any of them "whilst in the execution of his office, or shall promote or encourage any other person so to do" [*quare*, would this include encouragement by newspaper articles?], "every such person shall, on summary conviction, be fined not more than twenty pounds," or shall be liable to such other punishment, upon conviction on indictment, as any persons are by law liable to for assaulting any constable in the execution of the duties of his office"—as to which see section 12 of the Prevention of Crimes Act, 1871 (34 & 35 Vict. c. 112), authorizing for this offence the punishment of six months' imprisonment with hard labour.

THE REMARKS we recently made upon the imperfections of the new Coroners Act are fully borne out by a letter we publish elsewhere, from which it appears that a coroner has called in question the exemption (generally supposed to exist) of solicitors (amongst many other professional persons) from serving on coroners' juries. The recent Act (section 3) imposes upon a coroner, upon being informed of any death within his jurisdiction under suspicious circumstances, the obligation of summoning "not less than twelve nor more than twenty-three good and lawful men" to appear before him as jurors, but the Act is quite silent as to qualification or exemptions, except that it provides, by section 45, sub-section (5), that, "save in so far as is inconsistent with this Act, any principle or rule of law, or established jurisdiction, practice or procedure, or existing usage, franchise, liberty, or custom, shall, notwithstanding the repeal of any enactment by this Act, remain in full force." We think that, either independently of this saving, or by virtue of it, the 9th section and schedule of the Jurors Act, 1870 (33 & 34 Vict. c. 77), which substantially re-enact the 2nd section of the County Juries Act, 1825 (6 Geo. 4, c. 50), go far to settle the matter. It is enacted by that section that "the persons described in the schedule hereto shall be severally exempt as therein specified from being returned to serve and from serving upon any juries and inquests whatsoever," and amongst the persons described in the schedule are "attorneys, solicitors, and proctors, if actually practising and having taken out their annual certificates." More comprehensive terms could not have been used. But it is argued for the coroner that section 52 of the Act of 1825, which prescribes a qualification for jurors on writs of inquiry

before a coroner similar to that for jurors at *Nisi Prius*, provides that "nothing herein contained shall extend to any inquest to be taken by or before any coroner of a county by virtue of his office," but that such coroners "may take and make all inquests and inquiries by jurors of the same description as they have been accustomed to do before the passing of this Act"; and it is expressly provided by section 4 of the Act of 1870 that that Act "shall be construed as one with the County Juries Act, 1825, and any Act amending the same." There is some ground, therefore, for saying that the 9th, or exempting, section of the Act of 1870 does not apply to coroners' juries; and this view is borne out by a passage in *Jervis* (p. 200), that the Act of 1870 "leaves the law affecting coroners' juries unaltered," though it is stated by the same authority (p. 72) that a coroner is exempt from serving on a jury, citing the authority, amongst others, of the repealed section 2 of the Act of 1825, which, as we have said, contains a list of exemptions practically identical with those in the schedule of the Act of 1870. We think, however, that the proviso of the 52nd section of the Act of 1825 applies to qualifications only, so as to render the qualifications for other jurors inapplicable to coroners' jurors, and leaves exemptions to be dealt with by section 2, now represented by section 9 and the schedule of the Act of 1870. But whatever may be the law, we think that the attention of the Incorporated Law Society ought to be at once called to the point, in order that an amending or declaratory Act may be passed without delay.

SOME OF THE DECISIONS on the Married Women's Property Act, 1882, have been very startling, and it seems clear that its actual effect does not always correspond to the probable intentions of its authors. This is well illustrated by the recent case of *Hancock v. Hancock* before Mr. Justice NORTH (*ante*, p. 25). The question arose upon sections 5 and 19. By section 5 a woman married before the commencement of the Act holds as her separate property all property devolving upon her after the Act, but by section 19 it is provided that nothing in the Act "shall interfere with or affect any settlement or agreement for a settlement made or to be made, whether before or after marriage, respecting" her property. Upon these sections it has been held that where a settlement exists the effect of section 19 is to cut section 5 out of the Act entirely. The cases have been of two kinds. Settlements before the Act had a double object; they were meant partly to prevent the wife's property falling into the power of the husband, and partly to secure a provision for children. But, inasmuch as the first of these was probably the chief object, it was often provided that the covenant to bring in after-acquired property should not apply to property given to the woman for her separate use. Since, then, after the Act all after-acquired property was held by the woman as her separate property, the question arose whether it was therefore, on the strength of such a clause, exempted from the operation of the settlement. It was held by PEARSON, J., in *Re Stonor's Trusts* (24 Ch. D. 195) that it was not, and this was approved by the Court of Appeal in *Re Whitaker* (34 Ch. D. 227). The reason is very simple. The effect of section 5 is to give the property a different destination from that it would have under the settlement; this, however, would be to interfere with the settlement, the very thing which is prohibited by section 19. Consequently it must be allowed to take effect exactly as if the Act had not passed. Upon the construction of the words this seems clear enough, though it is curious to notice that the obvious intention to include in the settlement only what required to be protected against the husband appears to be frustrated by an Act which purports to protect everything against him. But the other point is more curious still. Suppose the husband only has entered into the covenant to settle the wife's after-acquired property. This was reasonable enough before the Act, because, otherwise, though taking it in her right, he would have taken it for himself; since the Act, however, he takes nothing in her right, and, consequently, as there is nothing upon which his covenant can take effect, it might well be held to be quite inoperative. This view commended itself to CHITTY, J., in *Re Queade's Trusts* (33 W. R. 817), and he held that the wife was not bound to bring her after-acquired property into the settlement. Otherwise, he said that, as section 19 referred to all settlements, post-nuptial as well as ante-nuptial, after the Act as well as before it, it would be

possible for a husband at any time to settle his wife's property, say, on himself and his children; and that when the Act spoke of settlements "respecting the property of a married woman," it must have meant settlements, not merely relating to it, but actually binding on it at law or in equity. Upon this possibility the Court of Appeal in *Re Whitaker* said nothing, and the question of a covenant by the husband only was not then before it, although the question before the court was in principle the same. It has arisen again, however, in *Hancock v. Hancock*, before NORTH, J., and he felt himself bound to uphold it by the plain reasons given in *Re Whitaker*. It seems, then, that where there is a settlement, however made, and the effect of section 5 would be to alter the destination of property under it, there the settlement is to operate as though the Act had not passed, and quite regardless of the change in the wife's position effected thereby. This must now apparently be taken to be settled, although it may turn a covenant which was meant only to prevent a husband from taking his wife's property, and was not designed to bind her, into a fetter upon that free disposition of her own property which the Act probably meant to give to her.

THERE IS A very practical lesson to be derived from the decision in *Hancock v. Hancock* above noticed: Do not be in a hurry to alter your common forms because an Act has been passed which seems to render them unnecessary or somewhat inappropriate. If the old form giving the share for the wife's separate use had been adopted in the mother's will, the question decided by Mr. Justice NORTH would never have arisen. The impression had, no doubt, become strong in the profession that "separate property" under the Married Women's Property Act possessed all the qualities of "separate estate" according to the doctrines of equity, and that nothing was to be gained by retaining the old words "for her separate use." In the last edition of Davidson (vol. 1, 5th ed., p. 356) this notion received the sanction of eminent and cautious conveyancers. We drew attention, however, to the matter in an article in the early part of the present year (31 SOLICITORS' JOURNAL, 376), pointing out that the judgment of the Court of Appeal in *Re Whitaker* seemed to make it desirable, in all cases where property is given to a married woman, to state in express terms that it shall belong to her "for her separate use."

NOTICE TO COMPANY OF AN EQUITABLE ASSIGNMENT OF SHARES.

THERE have been recently several important cases upon the equitable assignment of shares, the result of which has been to effect a considerable change in what was supposed to be the law upon the subject and to give it a fresh development. The change has taken place with regard to the notion that an equitable assignment must be completed by notice to the company; the new development consists in the importance which has been attached to the possession of certificates of shares. The case which has had the greatest influence in this direction is that of *Société Générale de Paris v. Walker* (14 Q. B. D. 424, 11 App. Cas. 20), to which we shall accordingly refer as the principal case; and it is curious that the abolition of the necessity for notice was effected chiefly in the Court of Appeal, while the importance of the possession of the certificates was first insisted upon in the House of Lords. We propose to deal with the latter point in a subsequent article.

The validity of an equitable assignment has been discussed in two cases; either where it has been followed by the bankruptcy of the assignor, or where it has been followed by a second assignment. The question of the necessity of notice has arisen generally under the first head, and has been regarded partly as deciding whether the shares were in the order and disposition of the bankrupt, and partly whether this was with the consent of the true owner. Since the recent decision of the House of Lords in *Colonial Bank v. Whinney* (11 App. Cas. 426), that shares, being things in action, are excepted from the operation of the reputed ownership clause, the question in this respect has lost its importance, but the cases may still be referred to as illustrating the subject generally.

It was sometimes thought that notice was essential in order

to shew that the shares were not left in the order and disposition of the bankrupt with the consent of the true owner—the owner, that is, of the beneficial interest in them. In this case, of course, the notice must have been given by such owner, but in *Ex parte Agra Bank* (3 Ch. 555) it was held that, provided the company actually had notice, it was immaterial from whence it came; hence the necessity of it must be placed upon the other ground. That such necessity did exist is clear from the cases. Thus, in *Ex parte Boulton* (1 De G. & J. 163), it was held that for want of notice shares were left in the order and disposition of the bankrupt, and when it was urged that the company was not bound to receive notice, it was argued that this did not dispense with its necessity, but rendered a valid equitable mortgage of shares impossible. But in *Ex parte Stewart* (4 De G. J. & S. 543) this view was shewn to be incorrect, and it was held by Lord Westbury, L.C., that the object of the Joint Stock Companies Act, 1856, s. 19, was merely to prevent the company itself being bound by notice of any trust, and not to prevent them from receiving notice of an incumbrance on the shares. There the company certainly had notice of the assignment, as it was made by the directors themselves in order to raise money on their shares for the purposes of the company, and accordingly these were not left in their order and disposition. In *Ex parte Agra Bank* (*supra*), also, it was not doubted that notice to the company would have that effect, nor that it was in general necessary for a valid equitable assignment of the shares.

Accordingly, when the question came before the Court of Appeal in the principal case, it was felt that the above decisions were strong in favour of the necessity of notice; they were, however, set aside on the ground that they only related to reputed ownership in bankruptcy, and that the various *dicta* which might seem to govern the priority of equitable incumbrances also were really not required. The court, therefore, felt itself free to deal with the latter question on principle. It will be convenient to state briefly what were the points involved. The certificates of shares had been deposited by A. with B., but B. gave no notice to the company. Subsequently A. agreed to assign them to C., and gave him a blank transfer. As the assignment had to be by deed, this was of course invalid, and when the transfer was afterwards filled up it was doubtful, on the evidence, whether there had been a re-delivery by A. so as to make it valid. However, C. took the transfer to the company and attempted to get the shares registered in his own name. In this he failed, as the company declined to act without the production of the certificates, but the effect, at any rate, was that the company had notice of his equitable interest. Thus two questions arose; first, whether this notice gave C. priority over B.; and, secondly, whether, if the transfer to him was good as a deed, this gave him such an immediate right to be registered as would amount to a legal title. The first point is the one with which we are now concerned. If notice had the effect contended for, it must be on the ground that the principle of *Dearle v. Hall* (3 Russ. 1) was applicable to shares. By that case it was decided that the first assignee of a *chose in action* would lose his priority if a subsequent assignee first gave notice to the debtor or other person holding the fund. The *chose in action* under discussion was the interest arising from a share of residuary estate. But the difference in nature between this and a share in a company is obvious, and the mistake of applying to each the same rules of transfer could only have arisen from the fact of their both being classed as *chores in action*, a classification, however, which has recently been sanctioned by the House of Lords in *Colonial Bank v. Whinney* (*supra*). The possibility of such a decision will perhaps explain why so little attention was called to the difference in question. It was, however, noticed by Cotton, L.J., in the following passage from his judgment (p. 447):—

"As already pointed out there is an essential difference between the nature of shares, and of an equitable assignment thereof, and that of *chores in action* properly so-called, and assignments thereof, and in my opinion we ought not to apply the rule, established as regards the latter, to a subject-matter of so different a nature, or to lay down that a prior equitable interest in shares is to be postponed to one later in date, merely because the person entitled to the latter has first given notice of his claim."

But it does not seem to have been noticed that the difference really consists in the fact that for the transfer of shares a regular legal method has been instituted, and that there is really no analogy between the equitable assignment of a share which is meant to fall

short of a legal transfer, and the equitable assignment of a *chose in action* which, in the defective state of the law, was meant to take the place of a legal transfer.

But while it was thus held that the principle of *Dearle v. Hall* was not applicable to shares on account of their difference from ordinary *choses in action*, there was a further ground for the same decision in the fact that companies are exempted by statute from receiving notices of trusts. The Court of Appeal was unanimously of opinion that this excused them from receiving notices of equitable assignments, and the same view was strongly adopted by Lord Selborne in the House of Lords, as the following passage will shew (p. 30):—

"I think that, according to the true and proper construction of the Companies Act, 1862, and of the articles of this company, there was no obligation upon this company to accept, or to preserve any record of, notices of equitable interests or trusts, if actually given or tendered to them; and that any such notice, if given, would be absolutely inoperative to affect the company with any trust; and, if the company is not affected by it, I do not see how the directors or officers of the company individually can be."

Hence he agreed with the Court of Appeal that it was impossible to apply the principle of *Dearle v. Hall* to assignments of shares. The rest of the law lords, however, based their judgments upon other grounds, and they were careful to refrain from giving any opinion on the general question of the company's liability to receive notices. It may be well to observe, too, that shortly afterwards the matter was again discussed in *Bradford Banking Co. v. Briggs* (12 App. Cas. 29), and it was felt that the House ought not to be bound by Lord Selborne's expression of opinion, considering that he stood alone in uttering it, and that he, in common with the rest, had other grounds for his decision. In the latter case, a company which had a lien upon its shares for debts due by the shareholders continued to allow debts to be contracted by a shareholder after it had received notice that he had pledged his shares to a bank. Upon the principle of *Hopkinson v. Rolt* (9 H. L. C. 514) this notice would, from its date, prevent the company from increasing the amount of its lien to the prejudice of the bank. But how if the company was excused from receiving all notices whatever? This it was felt was going too far, and the House evidently was afraid that Lord Selborne's *dictum* would lead to that conclusion. While, then, it remains generally true that a company is not bound to receive and to record notice of an equitable interest, yet it was considered not to be true that such a notice has no operation against it for any purpose. It does not seem, however, to have been sufficiently remarked that the notice was not given to the company as a company in order to prevent transfers on the register, but as first mortgagees in order to prevent them from making any further advance, and it would be absurd to hold that a company is excused from receiving such a notice as that simply because they need not place trusts upon the register. This is substantially the view which was taken by Lord Blackburn in the following passage (p. 38):—

"I think that in order to bring this case within the principle of *Hopkinson v. Rolt*, it is not necessary to establish any trust against the company. It is, I think, enough to show that the company, a trading one, had by its agents who managed its trading transactions such knowledge that their customer, Easby, had ceased to be the owner of the shares as would have made it unjust to allow him credit on the faith of that property which had once been his, but which he had parted with before they were asked to allow him to incur the debt for which they now seek priority."

The result, therefore, seems to be as follows:—As between equitable incumbrancers, the rule in *Dearle v. Hall* does not apply, and there is no necessity to give notice to the company in order to retain priority. While, moreover, the company is in general excused from receiving notice of equitable interests, yet this does not excuse them in every case, and certainly not when the notice is intended to stop the acquisition of a future equitable interest on their own account. Moreover a company cannot decline to receive notice from the owner of an equitable interest who is intending to take proceedings to restrain a threatened transfer (*per Lindley L.J.*, 14 Q. B. D. 453), and in all cases, indeed, where they have been applied to to register a transfer, and receive notice that the owner has parted with the beneficial interest, they will be liable to the equitable owner if they disregard it. It would seem, then, that while companies are excused from keeping any permanent record of equitable interests, yet they are bound to

receive and to act upon notices which are only meant to be temporary, and to restrain the registration of transfers to the prejudice of the equitable owner.

THE MERCHANDISE MARKS ACT, 1887.

III.

A SUBSTANTIAL proportion of the Act consists of the provisions which set out the punishments to be inflicted for offences against the Act, and deal with matters of a subsidiary character.

The punishments to be inflicted are stated in section 2 (3), by which a person convicted on indictment may be sentenced to imprisonment, with or without hard labour, for not exceeding two years, or to a fine, no maximum being prescribed, or to both imprisonment and fine; a person summarily convicted may be sentenced to imprisonment, with or without hard labour, for not exceeding four months (so that a jury may be demanded) or to a fine of not exceeding £20. On subsequent convictions the imprisonment may extend to six months and the fine to £50. In any case articles, instruments, &c., by means of, or in relation to which, the offence has been committed, are to be forfeited to the Crown, and such articles may be ordered to be destroyed, or (under section 13 (3)) they may be sold, after obliteration of all trade-marks and trade descriptions, and out of the proceeds compensation may be made to any innocent party for losses sustained in dealing with the goods. An appeal to quarter sessions against a summary conviction is given in all cases, and a person charged before a court of summary jurisdiction is to be informed, before the charge is gone into, of his right to be tried on indictment. As the possible penalties on such a trial so far exceed the maximum penalties on a summary conviction, it may be expected that knowingly guilty parties will avail themselves but sparingly of this provision. The provision for summary trial is likely to have some effect in inducing injured traders to become prosecutors under the Act, though they will not be able to deprive persons charged of their right to a trial on indictment, and the greater severity of the punishments which may be inflicted under the present Act, when compared with those under the Act of 1862, may have the same tendency, as the punishment which could be inflicted under the old Act was often thought to be insufficient as a deterrent, and unlikely to produce such an effect as would justify a proceeding by indictment.

Section 9 provides for the short description of a trade-mark or forged trade-mark in criminal pleadings, and section 10 deals with evidence on a prosecution. The 1st sub-section is the more important, making, as it does, another breach in the old rule as to the non-reception of the evidence of defendants or their husband or wife in criminal proceedings. The option is given to the defendant of being called as a witness, or of having the husband or wife of the defendant called as a witness. If such evidence is adduced, the witness is to be in the same position as any other witness. It does not seem very scientific legislation to except one case after another out of a once general rule, which, though constantly condemned, is still left in force where not expressly excluded, but there can be little doubt of the advisability of the exception in the present case. The 2nd sub-section makes evidence of the port from which goods have been shipped to this country *prima facie* evidence of the place or country of origin, so that in cases in which goods are shipped from one country with the name of another country on them, the burden will be thrown on the proprietor of proving that the name on the goods is really that of the country of origin. What is to happen when the port of shipment is on the ordinary route from another country, which may, perhaps, have no ports of its own? It would seem, for example, somewhat hard that all Swiss goods coming through France should be treated as *prima facie* French, and this provision may have to be modified to some extent, or, if not, the trade of one country may be considerably hampered, and not that of another. Accessories within the kingdom to the commission of offences without the kingdom are punishable, under section 11, as principals. Section 12 contains a very useful and necessary provision, which was not to be found in the repealed Act, for the issue of search-warrants. In order, however, to justify the issue of such a warrant a prosecution must have been actually commenced, and the magistrate issuing the warrant must

also be satisfied by information on oath that there is reason to suppose that goods subject to forfeiture are in the possession or power of the defendant in a particular place. A power so safeguarded can hardly be abused. Section 13 renders the Vexatious Indictments Act applicable. Section 14 authorizes the court to award costs to either side. Section 15 limits prosecutions to three years from the commission of the offence, or one year from the first discovery thereof by the prosecutor, whichever first happens. Section 19 provides that nothing in the Act is to exempt a person from any action outside the Act, nor to entitle any person to refuse to give discovery in any action (but such discovery is not to be admitted in evidence against the person giving it on his being prosecuted under the Act), nor to render a servant liable who has acted under his master's orders and gives full information as to his master on demand.

It still remains to refer to three special matters dealt with by the Act—the grievances of the watch trade, Customs regulations, and implied warranty. Of these, the provisions relating to the watch trade are to be found in sections 7 and 8. The former section distinguishes between the watch-case and the interior part of the watch, and renders the provisions of the Act as to false trade-descriptions applicable to cases in which the watch-case bears words or marks of origin and the watch itself has none. In this instance the words or marks on the case are *prima facie* to be treated as intended to apply to the watch itself; so that an English-marked case, if filled with unmarked Swiss works, is to be considered to imply a statement that the works as well as the case are English made, and that implied statement, being untrue, constitutes a false trade description. When the works are untruly marked as English an offence is committed within the general trade-description sections of the Act; when the misrepresentation as to the works is made on the case this section renders the Act applicable. Section 8 provides for foreign-made cases being hall-marked differently from English-made cases, so that they may be bought for what they are. A British hall-mark will still be affixed, so that anyone who sees it will know that the quality is approved by British authority, and no injury will be done to the foreign maker. Whether any benefit will be conferred upon the English case trade may be doubtful; it would rather seem that purchasers would care but little where the case was made so that the quality was duly certified. Foreign cases could hardly be excluded from hall-marking altogether, and it seems improbable that any lesser step would do what the case-makers desire. However, some measure of satisfaction has now been given them.

The Customs question is dealt with by section 16, which imposes very difficult and responsible duties on the Customs authorities, and, in fact, if this section is administered with strictness, much friction must inevitably arise. At the time of the passing of the Act the restrictions upon imported goods were to be found in section 42 of the Customs Consolidation Act, 1876 (39 & 40 Vict. c. 36), as amended by section 2 of the Revenue Act, 1883 (46 & 47 Vict. c. 55), under which Acts regulations were issued. Two important respects in which the old Acts have been departed from in the new one are (1) that the old Acts did not attempt to deal with spurious imitations of foreign trade-marks on goods; and (2) that they contained no prohibition on the importation of foreign-made goods under the name and address or trade-mark of a British manufacturer, when the goods were imported by or for such manufacturer. The provisions of section 16 (1) of the new Act lay down that among goods prohibited to be imported are all goods liable to forfeiture under the Act, and also all foreign-made goods bearing any name or trade-mark being or purporting to be the name or trade-mark of a British manufacturer, dealer, or trader, unless the name or trade-mark is accompanied by a definite indication of the country of origin. Also, by sub-section (4), a name or colourable imitation of a name of a place in the United Kingdom is not to escape on the ground that it is the name of another place abroad, unless it is accompanied by the name of the country where the foreign place is situate. The effect of all this is that the Customs authorities have to exclude from the United Kingdom all goods having a forged trade-mark or a false trade description applied, and foreign-made goods with a British name or trade-mark.

On the 11th inst. Mr. Justice Kekewich ordered the discharge from custody of Mr. Johnson, who was committed to prison for contempt of court (*ante*, p. 26).

CORRESPONDENCE.

THE SITTINGS OF THE LAW COURTS.

[To the Editor of the Solicitors' Journal.]

Sir,—Adverting to Mr. Justice Mathew's suggestion that a few actions against solicitors for being "unprepared" would have a salutary effect, it appears that the special jury case then being tried, although No. 80 in the Middlesex List, had, through various collapses, got into the paper on the morning of the fourth day of the sittings. It was originally allotted to Mr. Justice Manisty, but shifted later in the day into Mr. Justice Mathew's list unobserved by the solicitors concerned, owing mainly to the great crowd in Mr. Justice Manisty's court, which had in a measure kept the parties to cases not actually on to the corridors. It further transpires that from August 12 to about four days before the commencement of the Michaelmas Sittings no reliable information could be got as to where this particular cause would really stand in the general list, and that it was not until almost the eleventh hour, so to speak, that official notice was given of the number of courts that would for certain sit for special juries.

I have no personal interest in this case, but I feel convinced that Mr. Justice Mathew could not have had all the facts before him when he made the very grave statement reported the next day from one end of the kingdom to the other. I took upon myself to write to the *Times* because I had so recently read a paper more or less dealing with the subject, and, to make myself clear, you will perhaps allow me to repeat the particular recommendations as to the Common Law Division.

5. That the cause lists should be more completely separated into (a) special juries; (b) common juries; (c) causes without juries; (d) causes standing over *sine die*.
6. That special jury cases should be heard in the order in which they are marked as such, and not be placed between other special juries already so marked.
7. That (say) on every Friday evening the judge who is progressing with a very long list should announce that he will not go beyond such and such a case during the coming week (a good margin being allowed for contingencies), it being suggested that it would be better even for a judge to be left at leisure for twenty-four hours once in a way (in case of extraordinary and unprecedented collapse) than that hundreds of people should be constantly kept anxious, and expensive preparations be made, frequently to no purpose.
8. That, to avoid needless changes, no cause within the compass of the ensuing week's estimate should be "postponed" without the judge's express consent.
9. That at least one day before the conclusion of every sitting there shall be an announcement of the intended programme for the following sitting (emergencies excepted), it being submitted that the dates of the assizes and other known work ought to be fixed with a fairly long notice to the profession, and especially that it should be stated approximately how many courts are to be devoted to a particular list.

It has been said by some that the Press is not the right place for a discussion of this character. I must dissent from any such view; first, because every individual occupying official position, however high, is open to respectful public comment; and, next, I cannot believe that any judge on the bench would desire that his observations should have an unintended result. Moreover, it is well known that the details of the practice are not vividly brought home to the judges themselves, and I am sure that they would welcome any fairly-stated remarks calculated to bring about a clearer understanding and possible improvements. I am not blaming the associates, who are uniformly courteous and considerate; it is the system I am complaining of.

I ask whether any independent person who has taken the trouble to watch these matters can gainsay my argument, that, from the instant a solicitor sets a cause down for hearing to the very last hour, it is a period of painful uncertainty and anxiety to himself, his client, and his witnesses? In addition to this, his counsel is frequently unable to be present when the case is called on (often without the slightest fault on the part of the counsel; indeed, I am one of those who think that they are occasionally most unjustly accused) owing to the utter confusion of arrangements incident to the insufficient number of judges, the troublesome circuits, and a general want of unity in the judicial organization. I believe that I am but echoing the opinion of the majority of solicitors whose practice lies away from the immediate vicinity of the courts when I say that every nerve is strained to bring about an adjustment without trial because of the extraordinary and ever-increasing anxiety surrounding a public hearing. Neither solicitor, client, nor witnesses can make any definite engagements after a case is once included in the one huge and unmanageable cause list.

Of course actual trials form but a very small portion of one's work, except in a few special offices (the average number of cases tried in a

year not equalling a cause apiece to each practising solicitor), the litigation coming into open court being but a fractional part of the actions commenced and judiciously settled outside. My experience is that a solicitor very often either persuades his clients to accept terms out of court or refrains from dissuading clients if so inclined, and few busy commercial men care to try a second experiment of the delay and excitement attendant upon bringing cases to an actual hearing.

With becoming respect to the bench, I say that it is difficult to calculate the injury to solicitors of sweeping condemnations from those in authority; and I repeat that, in my opinion, the judges would be the very first to remedy the position if some means could be found of properly approaching them as a body. It is highly desirable that united action should be taken; and at the January meeting of the Incorporated Law Society it is to be hoped that something may be effectually done.

FRANCIS K. MUNTON.

95A, Queen Victoria-street, Nov. 16.

SOLICITORS AND CORONERS' JURIES.

[To the Editor of the Solicitors' Journal.]

Sir,—Having been twice summoned to attend a coroner's jury, and claimed exemption on the ground of being a practising solicitor, the coroner has addressed a letter to me as subjoined, and I should be glad to learn through your columns if it gives a correct statement of the law on the subject. If it does, I think that the attention of the Incorporated Law Society should be drawn to it, with a view to getting members of our profession exempted from serving.

Nov. 14.

S. A. R.

The following is the coroner's letter above referred to:—

"There are practically no exemptions from a coroner's jury; all male persons of the age of twenty-one years, of sound mind, and neither outlaws nor felons, being liable to serve as jurors in the coroner's court. Section 52 of the County Juries Act, 1825 (6 Geo. 4, c. 50) empowers coroners to take and make all inquests and inquiries by juries of the same description as they have been used and accustomed to do before the passing of that Act. And by the Juries Act, 1870 (33 & 34 Vict. c. 77), it is enacted that that Act shall be construed as one with the County Juries Act, 1825, and any Act amending the same, and therefore also leaves the law affecting coroner's juries unaltered."

[See observations under head of Current Topics.—ED. S.J.]

DEEDS OF ARRANGEMENT ACT.

[To the Editor of the Solicitors' Journal.]

Sir,—This Act, copying that worst-drawn of all statutes, the Bills of Sale Act, 1882, requires deeds of arrangement to be registered within seven clear days. This seems likely to prove a pit-fall for unwary practitioners; especially as the time allowed must often prove inconveniently short.

We all know that whenever a "seven clear days" no ice is required the words are construed as practically equivalent to "eight days," and, therefore, it seems at first sight natural to apply the same construction here. Moreover, in the earlier Bills of Sale Acts the time was specified as so many "days," and the word "clear" may, therefore, have been advisedly introduced with the intention of giving an additional day.

A little consideration, however, will shew that this cannot be the effect. We are now concerned, not with an interval to elapse before the doing of an act, but with the time within which an act is to be done. Interval and time both expire with the seventh day, but with the result that in the former case the act may be done on or after the eighth day, the prescribed interval having elapsed, while in the latter it may not be so done, the allowed time for doing it having passed.

But why should draftsmen make difficulties by their gratuitously introducing an unusual, inappropriate, useless, and misleading word?

Nov. 16.

L. W. L.

SOLICITORS' CERTIFICATE DUTY.

[To the Editor of the Solicitors' Journal.]

Sir,—The time for paying this duty has again arrived. How much longer will solicitors calmly submit to pay a special tax in addition to the taxes which they pay in common with the rest of the community?

The Incorporated Law Society ought to move in this matter. If it will not, let solicitors rouse themselves and take some steps towards the repeal of this unfair tax.

I hope some of your readers will express their views in your columns.

H. OUGHTERSON HAYMEN.

CASES OF THE WEEK.

COURT OF APPEAL.

DE BENS AUDE v. DE BENS AUDE—No. 2, 16th November.

HUSBAND AND WIFE—SEPARATION DEED—INJUNCTION TO RESTRAIN BREACH OF COVENANT—DISCRETION OF COURT—ARRANGEMENT CONTRARY TO PUBLIC POLICY.

This was an appeal against a decision of Charles, J., as Vacation Judge (31 SOLICITORS' JOURNAL, 754). The question was whether the court ought to grant an *interim* injunction to restrain the defendant (a husband) from committing a breach of his covenant contained in a separation deed dated the 7th of July, 1887, not to molest or interfere with the plaintiff (the wife), as to her professional means of livelihood or otherwise, for a year. The wife was an actress. Charles, J., granted an *interim* injunction. The deed contained recitals of two suits in the Divorce Court, one by the wife for judicial separation on the ground of the husband's cruelty, the other by the husband for a dissolution of the marriage on the ground of the wife's adultery with the co-respondent. On the day of the execution of the deed the husband received from the co-respondent a sum of £750 in full discharge of all claims for damages in the divorce suit, and of all claims whatsoever against the co-respondent; and also another sum of £350 in discharge of all costs in the divorce suit and some other then pending proceedings. On the 9th of July the husband's petition for dissolution of the marriage was withdrawn, his counsel stating to the court that the husband had come to the conclusion that the relations between the wife and the co-respondent were not immoral. The wife's petition was also withdrawn. In the opinion of the Court of Appeal the evidence shewed that there had been adulterous intercourse between the wife and the co-respondent up to the 7th of July, that she had had an illegitimate child in May, and that the husband was well aware of these facts. It was also, in the opinion of the court, established that the co-respondent had, since the 7th of July, visited the wife at a house in which she was living, and, though the co-respondent denied that he had lived with her there, he did not expressly say that the intercourse had ceased.

THE COURT (COTTON and LOVES, L.JJ.) held that, under the circumstances, an *interim* injunction ought not to be granted. They expressed no opinion as to the validity of the deed, but they held that the deed and the payment of the two sums of money by the co-respondent must be regarded as one transaction. The circumstances were such as at any rate to give rise to a suspicion whether the object of the deed was not the continuance of the adulterous intercourse with impunity. Such an arrangement would be contrary to public policy, and a court of equity ought not to assist it by an *interim* injunction. The court were of opinion that the husband ought to give an undertaking, without prejudice to any question, that he would not, until the trial of the action or further order, directly or indirectly interfere with the exercise by the plaintiff of her theatrical profession or with her earnings in it. Independently of the deed he ought not to do that. That undertaking and the ordinary police law would sufficiently protect the plaintiff.

The husband gave the undertaking.—COUNSEL, Henry Kisch; Marten, Q.C., and L. Ryland. SOLICITORS, Seagrove & Co.; Lewis & Lewis.

Ex parte SCOTT, Re MORLEY, SCOTT v. MORLEY—No. 1, 11th November.

MARRIED WOMAN—JUDGMENT WITH EXECUTION LIMITED TO SEPARATE ESTATE—JUDGMENT SUMMONS—COMMITTAL—DEBTORS ACT, 1869, s. 5—MARRIED WOMEN'S PROPERTY ACT, 1882, s. 1 (2).

The question in this case was whether a married woman can be committed to prison upon a judgment summons founded on a judgment for a debt contracted by her during coverture. The judgment was that the plaintiff should recover the debt and taxed costs against the defendant, but that execution should be limited to her separate estate not subject to any restraint on anticipation (unless by reason of section 19 of the Married Women's Property Act, 1882, such estate should be liable to execution notwithstanding such restraint). Upon a judgment summons under section 5 of the Debtors Act, 1869, Kekewich, J., as Vacation Judge, committed the defendant to prison for six weeks for non-payment of the judgment debt. The question of jurisdiction was not argued before Kekewich, J. Section 5 of the Debtors Act provides that "any court may commit to prison for a term not exceeding six weeks . . . any person who makes default in payment of any debt . . . due from him in pursuance of any order or judgment of that or any other competent court." Sub-section 5 of section 1 of the Married Women's Property Act, 1882, provides that "a married woman shall be capable of entering into and rendering herself liable in respect of, and to the extent of, her separate property on any contract, and of suing and being sued, either in contract, or in tort, or otherwise, in all respects as if she were a *feme sole*, and her husband need not be joined with her as plaintiff or defendant, or be made a party to any action or other legal proceeding brought by or taken against her; and any damages or costs recovered by her in any such action or proceeding shall be her separate property; and any damages or costs recovered against her in any such action or proceeding shall be payable out of her separate property, and not otherwise."

THE COURT (Lord Esher, M.R., and Bowen and Fry, L.JJ.) held that there was no jurisdiction to make the order. Lord Esher, M.R., said that at common law, with respect to a contract made by a woman before marriage but which was not sued upon till after marriage, she and her husband were sued together, and judgment went against them both, and the execution followed the judgment. At that time execution could be by a writ of *ca. sa.*, and it went against both husband and wife, so that the

wife could be taken in execution to satisfy the judgment. Under certain circumstances the court dealt with the wife after she was taken differently from the husband—i.e., it would discharge her if it was shown that she had no separate estate. After the marriage the wife could not at common law make any contract, and no action could be maintained against her or her husband upon it, unless she had made it with her husband's authority. If it was made with his authority it was his contract alone. If she committed certain torts she could be sued with her husband. She could be sued on the ground that she had committed the tort, and he on the ground that he had permitted her to do so, but the judgment went against both, and the execution following the judgment she could be taken under a *capias*. In equity, if she had separate property, a decree could, in certain cases, be obtained charging her separate property, but it did not render her liable to be taken at all. Therefore, up to the commencement of the Married Women's Property Act, neither at law nor in equity could a married woman be taken in execution upon a judgment founded on a contract made after marriage. His lordship was of opinion that the Act of 1882 did not alter the common law liability of a married woman at all, but where, under the common law, a married woman was personally liable, in the sense that she could be taken under a *ca. sa.*, in those cases she could now be dealt with under the Debtors Act, 1869. Then came the question, What was now the position of a married woman in respect of a liability which was imposed on her solely by the Married Women's Property Act, 1882? Section 1, sub-section 2, imposed a new liability upon her in respect of her contracts made after marriage, and gave a new remedy at law, and the ordinary rule applied that where a statute imposed a new liability and provided a remedy, the remedy so provided was the only remedy. Sub-section 2 said that any damages recovered against her should be "payable out of her separate property and not otherwise." It did not say that the damages should be payable by her. The judgment under that sub-section ought to follow the words of the Act. The judgment imposed a new liability at law which produced the same result as the remedy previously given in equity—a charge upon her separate estate. Was then section 5 of the Debtors Act, 1869, applicable to such a judgment? Section 5, in speaking of "debt due from him," meant a debt which he was personally liable to pay. If the Debtors Act was treated as conferring a power to commit, it was a penal statute, and must be construed strictly as involving the liberty of the subject. If the Act was treated as a remedial Act, enabling the court to modify the imprisonment, it was not required in such a case as this, for there was nothing to modify. In either view the Debtors Act did not apply to judgments which could be recovered against a married woman only by virtue of the Act of 1882. The present decision only applied to those judgments. BOWEN, L.J., concurred. He said that the judgment against a married woman under sub-section 2 of section 1 of the Act of 1882 was a "proprietary," not a personal judgment, and it would be straining the words of section 5 of the Debtors Act to hold that a debt payable only out of a woman's separate property was a "debt due from her." It was only due from her *sub modo*. FRY, L.J., gave judgment to the same effect.

The Court said that the form of judgment which has been hitherto adopted in such cases is not quite accurate, and that the judgment ought to be as follows: "It is adjudged that the plaintiff recover £ . . . and costs to be taxed against the defendant (the married woman), such sum and costs to be payable out of her separate property, as hereinafter mentioned, and not otherwise. And it is ordered that execution hereon be limited to the separate property of the defendant, not subject to any restriction against anticipation (unless by reason of section 19 of the Married Women's Property Act, 1882, such property shall be liable to execution notwithstanding such restriction).—COUNSEL, Henry Kisch and Clavel Salter; Herbert Reid and F. Cooper Willis. SOLICITORS, Edward Le Voi; F. Scott.

HOLMES (Appellant) v. TWICKENHAM LOCAL BOARD (Respondents) and BONELLA (Appellant) v. TWICKENHAM LOCAL BOARD (Respondents)—No. 1, 10th November.

LOCAL GOVERNMENT—SEWERAGE—CHARGES ON FRONTAGERS—PUBLIC HEALTH ACT, 1875 (38 & 39 VICT. c. 55) ss. 13, 15, 18, 150, 152.

These were two appeals by the Twickenham Local Board from the decision of a divisional court (Huddleston, B., and A. L. Smith, J.) on a special case (reported 34 W. R. 578). Holmes and Bonella had been severally assessed as frontagers for the re-sewering of the Avenue road which is on the St. Margaret's Estate at Twickenham. The estate was laid out by the Conservative Land Co. prior to the year 1868, in which year the local board came into existence, and a system of sewerage with an outlet into the Thames was then laid down. In 1884 the Thames conservators gave notice that the passage of sewage into the Thames must be discontinued, and a new system of drainage became consequently necessary. The alterations in the sewers having been effected by the local board, the frontagers were assessed with a proportion of the expenses of the works. The Divisional Court held that the expenses of the alteration must be charged on the general rates and not upon the frontagers.

The Court (Lord ESHER, M.R., BOWEN and FRY, L.J.J.) affirmed their decision, and dismissed the appeal. Lord ESHER, M.R., said that it was clear that the sewer was not a sewer made by any person for his own profit or by any company for the profit of the shareholders within the meaning of section 13 of the Public Health Act. Therefore, upon the constitution of the local board, the sewer, which was then existent, vested in them. It therefore became their duty to see that the sewer was sufficient for the drainage of the road, and if it was insufficient to call upon the frontagers under section 150 to make it so. If, however, they did nothing and expressed no view as to its sufficiency within a reasonable time, that was

conclusive that they were satisfied with the sewer, and the sewer having once been to their satisfaction they could not apply the powers given by section 150, but must use those given by section 18 for the alteration or repair of sewers, and must defray the expenses out of the district rates as provided by section 207, and could not impose them on the frontagers. BOWEN and FRY, L.J.J., concurred.—COUNSEL, Lumley Smith, Q.C., and J. P. Grain; Beaumont, Q.C., and Edwyn Jones; A. Powell. SOLICITORS, Ruston, Clark, & Ruston; Spaul; Miller, Smith, & Bell.

Re EMMERSON—No. 2, 12th November.

CONTEMPT—ATTACHMENT—COSTS—PRORATE ACTION—SUBPENA TO BRING IN TESTAMENTARY SCRIPTS—PRORATE COURT ACT, 1857, s. 26.

This was an appeal from an order made by Charles, J., as Vacation Judge. In a probate action a *subpoena* was issued against a solicitor (who was not a party to the action) requiring him, within eight days after service on him, to bring into and leave in the Principal Probate Registry an original testamentary paper or script which, by an affidavit filed on behalf of the party at whose instance the *subpoena* had been issued, appeared to be in the possession, power, or control of the solicitor. The *subpoena* was issued in the ordinary course by the registrar, without any order of the court. The document in question was not then, in fact, in the solicitor's possession, he having delivered over to some other solicitors such documents as he had had in his possession; but he did not within the eight days file any affidavit to explain why he did not obey the *subpoena*. In accordance with the practice of the Probate Court such an affidavit should have been filed. A motion was then made that the solicitor might be ordered to attend forthwith to be examined touching the matters in the *subpoena* and in the affidavit upon which it was issued referred to; or, in the alternative, that an attachment might be issued against him for non-compliance with the *subpoena*, and that he might be ordered to pay the costs of the application and the examination and attachment. Upon this motion Charles, J., ordered that the solicitor should attend and be examined, and he attended and was examined accordingly, and stated that he had not the document in question in his possession. It appeared also that there was no testamentary script among the documents which he had handed over to the other solicitors. Charles, J., made no order on the motion except that the solicitor should personally pay the costs of the proceedings, on the ground that he ought to have filed an affidavit in answer to the *subpoena*.

THE COURT (COTTON and LOPES, L.J.J.) discharged the order. COTTON, L.J., said that there was no jurisdiction to make the appellant pay costs unless he had been guilty of contempt. The order that he should attend and be examined was not an adjudication that he had committed a contempt. He was bound to obey the *subpoena* if he could, but it did not require him to make an affidavit. It would have been better if he had done so, but the omission to make it was not a contempt. The order must be discharged, and the appellant must have the costs of the appeal. LOPES, L.J., concurred.—COUNSEL, J. G. Witt and W. T. Barnard; R. M. Bray. SOLICITORS, C. J. Rawlings; J. W. Sykes.

PRESTON v. ETHERINGTON—No. 2, 9th November.

TRUSTEE—DEFAULT IN PAYMENT OF MONEY—ATTACHMENT—DEBTORS ACT, 1869, s. 4, SUB-SECTION 3—DEBTORS ACT, 1878, s. 1.

This was an appeal from an order made by Kekewich, J., as Vacation Judge (31 SOLICITORS' JOURNAL, 717), for the attachment of a solicitor, on the ground that he had committed a contempt in not having paid into court a sum of £1,710, in accordance with a previous order of the court. In 1859 the solicitor's brother advanced money to him. The brother made a voluntary settlement of this debt for the benefit of his wife and children, and assigned the debt to the trustee of the settlement. An action was afterwards brought by the trustee to enforce payment of the debt, and there was a cross action to set aside the voluntary settlement. At the trial of the two actions on the 7th of June, 1878, Hall, V.C., sanctioned, on behalf of the infants who were interested under the settlement, a compromise which had been arranged between the parties. The order then made contained an admission by the solicitor "that the principal sum in his hands claimed by the plaintiffs in the first action amounts to £4,147 6s. 1d." The order directed that the solicitor should, out of the £4,147 6s. 1d. "so in his hands," pay costs, and should divide the residue into moieties, and should hold one moiety for the brother, as in the order mentioned, and should stand possessed of the other moiety, upon trust to pay interest thereon to the brother's divorced wife for her life, and, subject thereto, should stand possessed of the second moiety upon trust for the children of the brother. And it was ordered that the tenant for life or the infants should have liberty to apply to the court for payment of principal and interest of the second moiety, in case of non-payment of the interest. Default was made in payment of the interest, and the tenant for life and the infants applied to the court, and Stirling, J., on the 8th of July last, made an order that the solicitor should, on or before the 8th of August, pay into court the sum of £1,710, being the amount of the moiety of the residue directed by the order of the 7th of June, 1878, to be held by him upon trust for the applicants. The solicitor failed to obey this order, and on the 24th of August last, on the application of the tenant for life, Kekewich, J., gave leave to issue a writ of attachment against the solicitor. The order contained a statement that it appeared to the satisfaction of the court that the solicitor's default was a default made by a trustee or person acting in a fiduciary capacity, and ordered by a court of equity to pay a sum in his possession or under his control within the meaning of sub-section 3 of section 4 of the Debtors Act of 1869. The solicitor appealed, and it was urged on his behalf that the question was whether the money was trust money when it originally came into his hands. In the present case the relation between himself and his brother

was originally that of debtor and creditor; the money was lent to him that he might spend it for his own purposes. No doubt, if money had been paid to a man as a trustee, and he had spent it, he could not afterwards be heard to say that it was not in his possession or under his control. But if a creditor chose to say to his debtor, The debt which you owe me shall be held on certain trusts, this could not bring the money into the possession or under the control of the debtor as trustee. The object of the Debtors Act was to retain the power of imprisonment in the case of fraudulent breaches of trust—when a trustee had committed a breach of trust by putting trust money into his own pocket. But here the money was lent to the appellant in order that he might apply it to his own purposes, and he could not, by a subsequent transaction, be converted from an innocent debtor into a fraudulent trustee. Moreover, the order which created the trust expressly sanctioned the retention of the money by the trustee. The admission contained in the order of June, 1878, was intended only to fix the amount due from the appellant to his brother; all the parties knew that the money was not then in his possession, and, if the court had been satisfied that the money was then in his hands, it would have been an extraordinary thing for it to sanction the retention of it by him, it being the money of infants. When it was sought to imprison the appellant he ought to be allowed to explain the admission. The question of imprisonment under the Debtors Act was not then in the contemplation of the parties. It was also urged that the court had, under section 1 of the Debtors Act, 1878, a discretion as to making the order.

THE COURT (COTTON and LOPES, L.J.J.) affirmed the decision. COTTON, L.J., said that Kekewich, J., had exercised the discretion given by the Act of 1878, though he had exercised it in a way which the appellant did not like, and this court ought not to interfere if the case was within sub-section 3 of section 4 of the Act of 1869. The question was whether the £1,710 was at some time in "the possession or under the control" of the appellant in the character of a trustee—i.e., as trust money. His lordship thought that it was. The order of June, 1878, was made upon the appellant's admission that he had in his hands a specified sum of money, and there was a direction that he should hold a moiety of that sum on certain trusts. At the time when the order was made the appellant was a trustee, but it was contended that he never had the money in his possession or under his control as a trustee. In his lordship's opinion the court would never have put a stop to the action unless it had been satisfied that the appellant had the means at any moment of paying the money, and, if so, he had, within the meaning of the Act, the money in his possession or under his control as a trustee. The words of the section were satisfied, if the person who was constituted a trustee of the debt had then in his possession the means of discharging it. There was no statement in the appellant's affidavit that neither at the date of the order of June, 1878, nor at any other time he had had the means of paying the debt, and the court must hold that when he was constituted a trustee he had the sum of money "in his possession or under his control." It was contended that the court had never acted on this power in a case in which it had allowed the trustee to retain the trust money in his hands. But the appellant was only allowed to retain the money until the court should otherwise order, and the court had now otherwise ordered. He was authorized to hold the money upon a representation that he was able to make it good; as soon as he ceased to pay the interest the court did not allow him to retain it. It was not necessary in order that a man should be attached under this sub-section that there should have been fraud on his part; if he had made default without any fraud the court was justified in making an order of attachment. The appeal must be dismissed. LOPES, L.J., said that the question was whether the appellant had at any time in his hands a sum of money impressed with a trust—whether the money had ever been in his possession or under his control as a trustee. The order sanctioning the compromise contained an admission that he had the money in his hands, and the whole basis of the arrangement was that the money or its equivalent was in his hands, or that he had the means of satisfying the debt. If the case fell within sub-section 3 of section 4 the judge had exercised his discretion under the Act of 1878, and this court would not interfere. His lordship entirely agreed that it was not necessary that there should have been fraud on the part of the trustee; a simple default in payment was sufficient.—COUNSEL, *Cosens-Hardy, Q.C.*, and *C. Lyttelton Chubb*; *Cutler, Q.C.*, and *Whiteway*. SOLICITORS, *A. B. Chubb*; *Bozall & Bozall*.

HIGH COURT—CHANCERY DIVISION.

CRONIN v. TWINBERROW, North, J., 11th November.

ATTACHMENT—NON-PAYMENT OF MONEY—PERSON ACTING IN FIDUCIARY CAPACITY—"POSSESSION OR CONTROL"—DEBTORS ACT, 1869, s. 4, SUB-SECTION 3.

This was an administration action, the defendants being the executors of the testator. An order was made that the defendants should deposit in a bank in their joint names certain bonds which formed part of the estate in their hands. By some oversight the deposit was not made, and in April, 1885, one of the defendants sold the bonds for £1,776. In July, 1887, an order was made that that defendant should pay into court £2,044, the then value of the bonds as ascertained by affidavit. This order was not obeyed, and the plaintiff moved for leave to issue an attachment against the defendant for his non-compliance with the order.

NORTH, J., refused the application, on the ground that the £2,044 had never been in the possession or under the control of the defendant.—COUNSEL, *Napier Higgins, Q.C.*, and *T. L. Wilkinson*; *Alexander*. SOLICITORS, *Lidiard & Co.*; *Pattison, Wigg, & Co.*

Re FOWLE'S SETTLED ESTATES—North, J., 12th November.

SETTLED ESTATES ACT, 1877, ss. 31, 50—RE-INVESTMENT OF PURCHASE-MONEY—PETITION BY MARRIED WOMAN—SEPARATE EXAMINATION—ADVERTISEMENTS.

This was a petition under the Settled Estates Act, 1877, to obtain the sanction of the court to a proposed purchase of land as a re-investment of money which had arisen from a previous sale of part of a settled estate under an order of the court. One of the petitioners was a married woman. Her husband was the tenant for life of the estate; he had become a bankrupt, and she had, out of her separate estate, purchased his life estate, which had been assigned to her. The husband was a co-petitioner, and the other petitioners were mortgagees of the wife. One question was whether it was necessary that the wife should be examined separately from her husband as to her consent to the petition. Section 50 of the Act provides that, "where a married woman shall apply to the court, or consent to an application to the court, under this Act, she shall first be examined apart from her husband touching her knowledge of the nature and effect of the application, and it shall be ascertained that she freely desires to make or consent to such application." In *Re Duke of Cleveland's Estates* (1 De G. & Sm. 431) Kindersley, V.C., held that a petition under section 24 of the Leases and Sales of Settled Estates Act (19 & 20 Vict. c. 120) for the re-investment of purchase-money of settled estates need not be served on all the persons mentioned in section 17 of the Act as persons with the consent of whom "every application" to the court must be made. The Vice-Chancellor held that the words "every application" must be restricted to applications for the sale of property, otherwise the tenant for life could not obtain payment of the dividends without the concurrence of all the persons mentioned in section 17.

NORTH, J., held that section 50 applied, and that the married woman must be examined.

Another question was whether the petition ought to be advertised. Section 31 of the Act of 1877 provides that "notice of any application to the court under the Act shall, if the court shall so direct, but not otherwise, be inserted in such newspapers as the court shall direct." The court was asked to dispense with advertisements in the present case.

NORTH, J., held that section 31 did not apply, and that there need not be any advertisement.—COUNSEL, *Spence*; *S. Dickinson*. SOLICITORS, *G. F. Hudson, Matheux, & Co.*; *Garrard, James, & Wolfe*.

BIDDER v. BRIDGES—Stirling, J., 10th and 11th November.

PRACTICE—COSTS—SHORTHAND WRITERS' NOTES—THREE COUNSEL.

This was a summons to review taxation. The following (among other) objections were taken:—(1) That the taxing master had allowed the costs of shorthand writer's notes, although no express directions had been obtained from the Court of Appeal in that behalf; (2) that he had allowed the costs of three counsel. The case was heard before the decision of *Humphrey v. Sumner* (W. N., 1886, p. 182).

NOV. 11.—STIRLING, J., said he had consulted the Lord Justice from whom the note in *Humphrey v. Sumner* was said to have originated, and had been informed by him that that note was not intended to alter the practice of the court. It applied, therefore, to cases heard before as well as to those heard afterwards, and the objection on the first point must be overruled. With regard to the second point, his lordship said that he had consulted the judge who tried the case, and had been informed by him that the case was one of great complexity, both as regards the facts and the law. *Kirkwood v. Webster* (9 Ch. D. 239), showed that the discretion of the taxing master should not be lightly interfered with. The costs of three counsel should be allowed.—COUNSEL, *Pearson, Q.C.*, and *P. H. Lawrence*; *Hastings, Q.C.*, and *Diddin*. SOLICITORS, *Reeks & Sons*; *Bridges, Sawtell, & Co.*

Re WALKER & HACKING (LIM.)—Stirling, J., 10th November.

COMPANY—POWER TO PURCHASE ITS OWN SHARES.

This was an application in the winding up of the above company by a gentleman who had formerly been cashier of the company, that his name might be removed from the list of contributories, and that the value of his shares might be ascertained as at the time at which he left the service of the company, and paid to him. The applicant was the holder of twenty shares of £50 each, upon which he had paid up £500. By one of the articles of association headed "servants' shares" it was provided that every shareholder in the employment of the company (except as managing director) should, on his employment terminating, surrender his shares to the company, receiving the full market value therefor. The creditors of the company had been paid in full. It was contended for the applicant that *Trevor v. Whitworth* (12 App. Cas. 409) only applied as between the company and its creditors, and not where the only question was between the company and its shareholders.

STIRLING, J., said that he was afraid he could grant no relief. *Trevor v. Whitworth* compelled him to hold that the contract between the applicant and the company arising out of the above stated article was *ultra vires*, and he could not give effect to it. The application must be refused with costs.—COUNSEL, *Farwell*; *Buckley, Q.C.*, and *Theobald*. SOLICITORS, *Pritchard, Englefield, & Co.*; *Shaw & Tremellin*.

Re FREEMAN'S SETTLEMENT TRUSTS—Stirling, J., 12th November.

APPOINTMENT OF NEW TRUSTEES—PERSONS RESIDENT OUT OF THE JURISDICTION—APPOINTMENT OF TRUSTEE AT A REMUNERATION—TRUSTEE ACT, 1850 (13 & 14 VICT. c. 60), ss. 32, 34—TRUSTEE EXTENSION ACT, 1852 (15 & 16 VICT. c. 55), s. 9.

Under a settlement of real estate situate within the jurisdiction, the trustees had a power of sale with the consent of the tenants for life, the

proceeds to be invested in the purchase of land. A power of appointing new trustees was vested in the surviving or continuing trustees or in the heirs or assigns of the last surviving or continuing trustee. The last surviving trustee died in 1874 without making any devise of trust estates. His heir had not been heard of for ten years. All the *cestuis que trust* were, and had for many years been, resident out of the jurisdiction, and knew no one within the jurisdiction but A. who would consent to become trustee. A. had for many years managed the estate, and received the rents as agent at a commission of five per cent. on the annual rental, and declined to be appointed trustee except at the same rate of remuneration. Two of the proposed new trustees, B. and C., were resident out of the jurisdiction. On the application of all the *cestuis que trust*, some of whom were infants, and of A., B., and C.,

STIRLING, J., remarking that if all the trustees should be resident out of the jurisdiction they might exercise their power of sale and remove the whole trust estate out of the jurisdiction, appointed A., B., and C. to be trustees, A. to manage the estate at a commission of five per cent. on the annual rental, and B. and C. undertaking, in the event of A.'s death, not to appoint a new trustee resident out of the jurisdiction without applying to the court.—COUNSEL, *Farwell*. SOLICITOR, *F. Romer*.

WOODERSON v. RAPHAEL TUCK & SONS—Stirling, J.,
11th November.

COPYRIGHT—PHOTOGRAPH—AUTHOR—COPYRIGHT ACT, 1862 (25 & 26
VICT. C. 68), ss. 1, 4.

This was a motion for an injunction to restrain the defendants from repeating, copying, &c., a certain photograph. The photograph in question was one of two children of the plaintiff, taken by a photographer named Goodman. Shortly after it was taken the plaintiff discovered that it was being reproduced in a coloured form on defendants' Christmas cards. The plaintiff thereupon procured himself to be registered as the owner of the copyright in the photograph, the name of the author being registered as George Goodman, and commenced the present action. It appeared from the evidence that Goodman was not the person who actually placed the children in position and taken the picture.

STIRLING, J., held, in accordance with *Nottings v. Jackson* (32 W. R. 106, 11 Q. B. D. 627), that the name of the "author" was wrongly stated, and that that error was fatal. There had consequently been no proper registration within section 4 of the Copyright Act (25 & 26 Vict. c. 68.)—COUNSEL, *Hastings, Q.C.*, and *Fooks*; *T. E. Scrutton*. SOLICITORS, *Cayley & Edwards*; *Herbert Bentinck*.

CASES AFFECTING SOLICITORS.

MACFARLANE v. LISTER—C.A. No. 2, 16th November.

SOLICITOR—CHARGE—"PROPERTY RECOVERED OR PRESERVED"—LONDON AGENT—"PROCEEDING IN ANY COURT OF JUSTICE"—PROCEEDING BEFORE ARBITRATOR UNDER LANDS CLAUSES CONSOLIDATION ACT—SOLICITOR ACTING FOR BOTH MORTGAGOR AND MORTGAGEE—SOLICITORS ACT, 1860, s. 28.

The question in this case was whether some country solicitors and their London agents were entitled, in priority to mortgagees of the plaintiff, to a charge for costs upon a fund in court. The action was brought in 1875 for the redemption of a mortgage. The mortgaged property was taken by a dock company under their special Act, with which the Lands Clauses Consolidation Act was incorporated. In January, 1878, the plaintiff mortgaged his interest in the property to secure a sum of £400 advanced to him by the mortgagees, and at the same time he wrote a letter addressed to the solicitors who were acting for him in the action and in the matter of the purchase by the dock company, and to their London agents, by which he irrevocably authorized and requested them, out of the first moneys that should come to their hands from the dock company in respect of the property, to pay the sum of £400 to the mortgagees. The amount to be paid by the company for the purchase of the property was ascertained by arbitration under the Lands Clauses Consolidation Act, and a part of it, representing the plaintiff's interest, was paid into court to the credit of the action. Upon the application of the solicitors and their London agents Stirling, J. (in chambers), made an order that, the judge being of opinion that the applicants were entitled in priority to the mortgage of January, 1878, did declare that the applicants, as solicitors respectively employed by the plaintiff in the prosecution of the action and in proceedings in the matter of the purchase by the company, were respectively entitled to a charge on the fund in court for the taxed costs, charges, and expenses of the applicants or in reference to the action and the matter as such respective solicitors, as a fund recovered or preserved by the applicants respectively within the meaning of section 28 of the Solicitors Act, 1860. Section 28 enables the court "in every case in which a solicitor shall be employed to prosecute or defend any suit, matter, or proceeding in any court of justice," to declare such solicitor entitled to a charge upon the property recovered or preserved through his instrumentality for the taxed costs, charges, and expenses of or in reference to such suit, matter, or proceeding. The mortgagees appealed from the order so far as it gave the applicants priority over them. The plaintiff did not appeal.

THE COURT OF APPEAL (COTTON and LOPES, L.J.J.) held that the mortgagees were, under the circumstances, entitled to priority over the solicitors, and that the London agents were not entitled to any charge at all. COTTON, L.J., said that the mortgagees' right to priority depended on the letter of January, 1878. In his opinion the solicitors could stand in no better position because the money was in court than they would have done if it had been in their hands. The solicitors had accepted the direction contained in the letter to pay the mortgagees out of the first moneys

coming to their hands, and this prevented them from claiming a charge on the money so as to prevent its being applied in paying the mortgagees. So far as the order gave a charge in favour of the London agents it was wrong. The London agent was not the solicitor "employed" by the plaintiff. The London agent was employed by the country solicitor. The country solicitor alone was employed by the plaintiff, and to him alone the charge was given by the Act. It was suggested that in the present case the London agents had been to some extent directly employed by the plaintiff. But that employment was only in proceedings before an arbitrator under the Lands Clauses Consolidation Act, and section 28 gave a charge only in respect of the costs of proceedings "in a court of justice." It was argued that, independently of the letter, the solicitors could not have had a charge on the fund in priority to the mortgagees, because they had acted in the mortgage transaction for both the mortgagor and the mortgagees, and *Re Snell* (6 Ch. D. 105) was referred to. Independently of that authority his lordship was of opinion that the mere fact that the solicitors had acted for both mortgagor and mortgagee would not prevent them from having a charge in priority to the mortgagees, the charge being one which was given to them by the general law. In *Re Snell* the solicitors had certain deeds in their hands, and they had a lien upon them for costs due by the mortgagor, which they did not disclose to the mortgagee, and which did not depend on the general law. They could not, as against the mortgagee, insist on any right which they had obtained by their neglect to procure for him deeds which it was their duty to have procured for him, unless they had reserved their right by express contract with him. That was entirely different from the present case. The applicants were not entitled to priority over the mortgagees. And, although the plaintiff had not appealed against the order so far as it declared a charge as against him, his lordship thought he ought to say that in his opinion the order went too far in two respects. It ought to have been limited to costs incurred in the action, and not to have given a charge in respect of costs of the arbitration proceedings, which were not proceedings "in a court of justice." The order was also wrong so far as it gave a charge in favour of the London agents. LOPES, L.J., concurred. He thought that the solicitors would have been entitled to priority over the mortgagees but for the letter of January, 1878, which was adopted by the solicitors, and therefore prevented them from claiming priority.—SOLICITORS, *W. Reeves*; *Peacock & Goddard*.

AN UNQUALIFIED PRACTITIONER.

At the Newport (Mon.) Police Court on the 9th inst. Alfred Lawrence was charged with falsely and wilfully pretending to be a solicitor. Mr. G. F. Hill, of Cardiff, prosecuted on behalf of the Incorporated Law Society of the United Kingdom, and the defendant was unrepresented. Mr. Hill stated that defendant was charged under the 37 & 38 Vict. c. 68, s. 12, and explained that it appeared that a Mr. Bowen asked defendant to collect a debt for him from a Mr. Newberry, a painter, at Newport. Accordingly the defendant wrote Newberry the following letter:—

"1, Barrack-hill, Newport, Mon.

"September 27, 1887.

"Sir,—I am instructed by my client, Mr. Bowen, of Gordon-street, Maindee, to apply to you for the sum of fourteen shillings and ten pence (14s. 10d.) the balance of an account owing him from you.

"Unless the above, together with 3s. 4d., my cost for making application, be paid at the above address on or before the 28th of this month, legal proceedings will be taken against you, which will cause trouble and expense to yourself. You can treat this how you like.—Yours truly,

"A. LAWRENCE.

"Mr. Newberry, Newport."

Mr. Hill further stated that Newberry took the letter to defendant's address and saw him there. Newberry asked him if it was his letter, and he said it was. In reply to other questions from Newberry, defendant said he was a solicitor, and requested to know of Newberry if he were going to pay the debt.

Evidence in support of the above statement was given, and the defendant pleaded guilty, but asked the magistrates to consider his age, which he said was sixteen years, and that he had copied the letter from a form he had found. The magistrates fined him 10s. and costs.

BANKRUPTCY CASES.

Ex parte RAWLINGS, Re FORSTER—Cave, J., 16th November.

BANKRUPTCY—DEED OF ASSIGNMENT—ACT OF BANKRUPTCY—PAYMENT OF SOLICITOR'S COSTS BY TRUSTEE UNDER DEED—RECEIVING ORDER—APPLICATION TO REPAY—BANKRUPTCY ACT, 1883, s. 4, SUB-SECTION (1) (A.).

This was an application on behalf of the trustee in the bankruptcy for an order that G. R. Forster should pay over the sum of £20 7s. 8d., the balance derived from the realization of certain property which came into his hands as trustee under a deed of assignment executed by the bankrupt, and which had been paid as costs to Messrs. Scoles & Co., solicitors. In August, 1885, the bankrupt, being in difficulties, consulted Messrs. Scoles & Co., and a private meeting of the creditors was called, at which a resolution was passed that a deed of assignment should be executed by the bankrupt vesting the estate in G. R. Forster, as trustee, for their benefit, which deed was duly executed. On the 28th of October, 1885, a petition was presented against the bankrupt, the act of bankruptcy alleged being the execution of the deed of assignment. G. R. Forster, the trustee under the deed, had realized certain of the assets amounting to £125 19s. 6d., and on the 31st of October he paid to Messrs. Scoles & Co. the sum of £20 7s. 8d., being the amount of their bill of costs incurred

in connection with the meeting of creditors and collecting certain book debts, and also in preparing the deed of assignment. On the 20th of January, 1886, a receiving order was made against the bankrupt, and subsequently G. R. Forster sent to the official receiver a cheque for £105 11s. 10d., the balance in his hands after deducting the amount paid to Messrs. Scoles & Co., together with a detailed account of receipts and payments in connection with the estate. A trustee having been appointed in the bankruptcy, application was now made by him for an order directing payment of the £20 7s. 8d. so paid to the solicitors. In support of the application it was urged that if a petition is presented within three months of a deed of assignment all the property which the trustee under the deed may have taken forms the property of the estate, and if he has paid it away he must recoup the estate. On behalf of the respondent it was contended that the trustee in the bankruptcy must treat the trustee under such a deed either as his agent, and adopt his acts, or he must treat him as a trespasser. Here the official receiver accepted the proceeds of the realization of the estate. He had not treated the acts done under the deed as void, and now could not disaffirm them. He could not blow hot and cold, and the deed must be wholly set aside or not.

Cave, J., allowed the application. His lordship said that the chief part of the costs were incurred in doing that which was absolutely useless. There was a sum of about £2, however, with reference to the collection of book debts, and that the trustee in the bankruptcy was willing to allow. The trustee under the deed ought not to have taken any of the money until it was found that the deed would be valid. There must be an order for payment of £18 7s. 8d., with costs.—COUNSEL, F. C. Willis; Sidney Woolf. SOLICITORS, Lewis & Churchman; Scoles & Co.

LAW SOCIETIES.

SOLICITORS' BENEVOLENT ASSOCIATION.

The usual monthly meeting of the board of directors of this association was held at the Law Institution, Chancery-lane, London, on Wednesday, the 16th inst., Mr. Henry Roscoe in the chair. The other directors present were Messrs. W. Beriah Brook, H. Morten Cotton, G. Burrow Gregory, Samuel Harris (Leicester), Edwin Hedger, J. H. Kays, W. B. Paterson, Richard Pidcock (Woolwich), J. Anderson Rose, Sidney Smith, H. S. Styan, E. W. Williamson, Frederic T. Woolbert, and J. T. Scott (secretary). A sum of £425 was distributed in grants of relief, fourteen new members were admitted to the association, and other general business was transacted. At the commencement of the meeting Mr. Henry Roscoe was elected chairman of the board of directors for the ensuing year and Mr. C. F. Gale (Cheltenham) deputy-chairman.

LIVERPOOL INCORPORATED LAW SOCIETY.

The sixtieth annual general meeting was held on the 9th inst., the president, Mr. J. H. Kenion, in the chair.

The report of the committee and the treasurer's accounts having been taken as read,

The President delivered an address, in which, after referring to other matters, he discussed

THE LAND TRANSFER BILL.

He said:—One of the great objections to the Bill was that it was practically a Bill to amend Lord Cairns' Act, 1875, that instead of taking the shape of a Consolidation Bill, and so dealing with the whole law relative to land transfer within its four corners, it was fragmentary, and had to be read with the Act of 1875. This objection was felt by the Lord Chancellor, who, on the motion for the second reading, said that if the Bill passed he would immediately introduce a Consolidation Bill. Why this was not done in the first instance it is difficult to understand. It is to be hoped that the Bill to be introduced next session will be of this character, and that the public and the profession will not have to stumble through two Acts instead of one to find out the law and the changes which the measure is intended to effect. The reasons which actuated the Government in promoting legislation of this kind are not, I think, far to seek. During recent years public attention has been prominently drawn to the difficulties and cost incident to the transfer of real property. I cannot say that there are not good grounds for the prevailing impression that some alteration is needed. Recent legislation has, no doubt, done much to simplify the transfer of land, but I am forced to admit that the present system is still open to objection from an economic point of view. The profession are, of course, not answerable for this, they have to deal with the law as it stands, but I certainly think the law may be advantageously simplified and improved. Whether legislation on the lines indicated by the recent Bill of the Lord Chancellor will effect the desired object in these respects may be open to question, but there can be no doubt that there is great need of some legislation that will simplify the transfer of land and render it less costly. Various attempts have been made in the past to establish a voluntary system of registration of titles, but, as is well known, all such legislation has absolutely failed. This may, no doubt, be attributable to two causes—(1) to the rooted objection that there is to change a long-established system of conveyancing such as we have, and (2) to the difficulties and expense attending the working of existing Acts. But I see no reason why a simple and inexpensive mode of registration should not be devised, by which land may be placed upon the registry, and subsequently dealt with, at comparatively little cost. I think the system to be adopted should be the registration of possessory titles. Under it titles would, after the lapse of time (and that a short

time), ripen into good marketable titles. Under such a system, too, there would be no necessity for any investigation of the title of the owner whose land is to be registered. This would do away with an amount of officialism and consequent expense which are incident to a complex system aiming at the registration of "absolute titles," "guaranteed titles," and other delusive titles, and which have practically been the death of previous Land Transfer Acts. Further, numerous local registries should be established: To attempt to deal with the matter in a partial manner in the first instance by means only of one central registry in London and then gradually to establish registries in other parts of the country as occasion arises is, in my opinion, to court failure at the very outset. In the working of a measure such as this the public have a right to require that every possible facility shall be afforded for carrying out registration in the first instance, and afterwards of completing transactions with ease, expedition, and at small cost. These results could not be obtained if only one registry (and that in London) is provided, and if an official investigation of every title has to be made before the land can be placed upon the registry. The machinery ought not only to be ample and complete at the outset, but simple in its details, otherwise confusion, delay, and difficulty, with their consequences, will be the result. Whether registration should be made compulsory or not is a question upon which opinions may and undoubtedly do differ. The voluntary system has been tried and has failed. This has, no doubt, been caused by the difficulties and expense to which, under the present Act, owners are subjected in putting their land upon the registry. It has been said that if the system proposed by the Bill is made sufficiently workable and attractive it will succeed on its merits, and that if it cannot be worked without pressure it will be because it has not been made suitable to the requirements of the country, and will hamper, instead of facilitating, the dealings with real estate. There is much force in this, but after giving the subject my most careful and anxious consideration I have come to the conclusion that no system of voluntary registration will become universal, and that the only way to make registration general and effectual is by making it compulsory. Of course such a system ought not to be imposed unless it can be shown that it will not only be effectual, but will lessen the subsequent cost incident to the transfer of land. There must necessarily be some initial expense attending the first putting of land upon the registry, but I cannot think that this expense would be great if such a system as that which I have mentioned be adopted—viz., the registration of possessory titles, whilst owners would soon be recouped this initial expense by the diminished cost attending future dealings with their property. I am sensible of the circumstance that the views expressed by me on this point (which I may, however, add are expressive of the views of the majority of the committee) are not shared by other societies. There has been a general outcry against the "compulsory" principles of the Bill. But, isolated as we stand, I cannot but think we are right in the position we have taken. I would, however, remind the society that, in taking this view, the committee are not making a new departure in the traditions of the society, for I find when the Land Titles and Transfer Bill (1873) was under consideration that the sub-committee appointed to consider it reported as follows:—"The sub-committee think it essential to the success of any scheme that registration should be compulsory, otherwise registration will not be adopted." This report was adopted by the committee of the year 1873, and subsequently by the society in general meeting. I am aware that in the following year (1874) the society somewhat modified the opinion so expressed by adopting certain resolutions passed by the Associated Provincial Law Societies, one of which was "that registration should not be compulsory until experience for a much longer period than three years should have tested the efficiency of the system." But I can hardly think the Government scheme in this particular will be altered, particularly after the principle has received the express approval of such eminent lawyers as Lord Selborne, Lord Herschell, and Lord Bramwell, and has been accepted by the House of Lords, a body composed of some of the largest landed proprietors in the United Kingdom. Compulsory registration is, too, the leading feature in the Government scheme. Without it, I do not suppose the Bill, so far as it deals with the transfer of land, would ever have seen the light, and it seems to me that it will be futile to expect the Government to modify it in this respect. The public are ripe for a change. The efforts of the profession should, therefore, in my humble opinion, be directed to the improvement of the Bill in other respects, and rendering its machinery more simple, and, consequently, inexpensive. It is not my intention to discuss the changes contemplated by the second part of the Bill. Many of them, notably the alteration in the law of descent, are of very great importance, but all are, I think, changes which, if carried out, will in the result improve our present real property laws and probably tend to simplify the transfer of land, and that whether any change is made in the system by which such transfer is to be made or not. For that reason, if for no other, the two parts of the Bill might, with advantage, have been dealt with separately. But in whatever shape the Bill is re-introduced it will require the most careful consideration of the society, which, I feel sure, will be given in the general interests of the public at large (whose servants we are), and from no selfish or unworthy motive.

THE COPYHOLD ACT.

Before leaving the subject of legislation may I be permitted to draw your attention to a very important alteration made by the Copyhold Act of last session. You are, of course, aware that by section 30 of the Conveyancing and Law of Property Act, 1881, estates of inheritance or limited to the heir as special occupant, vested in a trustee or mortgagee, after the passing of that Act passed to the personal representative of the deceased trustee or mortgagee. In consequence of this enactment it became unnecessary to insert in wills the usual devise of trust and mortgage estates,

and, as a general rule, it has since been omitted. By the 45th section of the Copyhold Act, 1887, it is, however, enacted that the above section shall not apply to land of copyhold or customary tenure vested in the tenant on the court rolls of any manor, upon any trust or by way of mortgage. In future it will be necessary to resort to the old practice of devising trust and mortgage estates of a copyhold nature, but I am afraid this enactment will occasion considerable difficulty hereafter as regards wills made in reliance on the Act of 1881, for unless such wills are republished and an express devise of trust and mortgage estates inserted, there will, *quâd* estates of copyhold tenure, be an intestacy. This particular section came into operation as from the date of the passing of the Act, 16th September last.

LIABILITY OF TRUSTEES.

The position of trustees as regards their liability for loss arising from investments on real property has been further accentuated during the past year. Owing to the difficulties at the present time of carrying through any measure for the relief of trustees, the committee have deemed it desirable to call the attention of the Incorporated Law Society of the United Kingdom to the following suggestion contained in the *Solicitors' Journal* of the 10th of September last—viz.: "that instructions should be framed setting forth precisely the grounds on which a trustee may be made answerable (otherwise than by fraudulent misappropriation) for loss of the trust fund, and to submit those instructions to Mr. Wolstenholme, requesting him to frame a clause for insertion in trust instruments to protect trustees from the consequences of any act done in the management of the trust property other than an act amounting to fraudulent misappropriation of the trust property," and to enquire whether the council, without adopting the views therein stated, were prepared to instruct counsel to consider and advise upon the recent decisions affecting trustees, and to prepare such clause for common use as counsel might consider necessary. A communication has accordingly been addressed to the Council of the Incorporated Law Society inviting them to cause a general clause to be prepared for insertion in trust documents by which trustees may, pending legislation, obtain some protection from the iniquities to which, under the name of "justice and equity," they are at present exposed. In acknowledging this communication we are informed by the council that the matter is under the consideration of a special committee.

BOARD OF LEGAL STUDIES.

It was the privilege of my predecessor in his address last year to inform you of the establishment of a board of legal studies, of which board I am at present a member. It is satisfactory to me to be able to speak of the success that has attended our efforts. The Incorporated Law Society of the United Kingdom has doubled its former grant, and through the liberal support received from members of the bench, bar, and profession generally, the board has not only been able to maintain the excellence of the first year's lectures, but to add a course of lectures upon jurisprudence by Professor Munroe, of Owen's College, Manchester. The lectures are doing excellent work in the legal education of our articled clerks, and I feel I can with confidence ask you to give the board your individual support.

It was moved by the PRESIDENT, seconded by the VICE-PRESIDENT, and resolved:—"That the report of the committee, together with the treasurer's accounts, be approved and adopted; and that the same be printed and circulated."

It was moved by Mr. GILL, seconded by Mr. CLEAVER, and resolved:—"That the thanks of the meetings be given to the president for his address, and that the same be printed as part of the report, and that a copy of his evidence given before the Leasehold's Committee of the City Council be also printed in the appendix of the report."

There were nine nominations to fill the vacancies upon the committee, with the result that the following seven gentlemen were elected for the term of three years next ensuing:—Messrs. J. DICKINSON, I. H. E. GILL, F. GREGORY, F. J. HAWKINS, G. LAYTON, T. MARTIN, and J. THORNBURY.

It was moved by Mr. ROWS, seconded by Mr. H. C. DUNCAN, and resolved:—"That the thanks of the society be given to the president, officers, and members of the committee for their services during the past year."

The following are extracts from the report of the society:—

Members.—The society at the present time consists of 287 members, and the number of barristers and others, not being members, who subscribe to the library is forty-three.

Trustees and executors.—It is a matter of regret that another session has closed without the passing of any measure for the relief of trustees, such as that proposed by Mr. Ince and Mr. Whitley, in 1886. In answer to inquiries made by this committee, the Council of the Incorporated Law Society intimated that they were preparing a Bill dealing with the subject, but, probably owing to the time of Parliament being so much occupied with other public business, the Bill was not introduced.

New rules and orders applicable to Chancery business in the district registries of Liverpool and Manchester.—In the month of December last new rules and orders of the Supreme Court were made. The first (order XXXV., rule 6a) gives the district registrars of Liverpool and Manchester all the powers of chief clerk, registrar, and taxing master. When this rule came to be put in force, doubts were raised as to the right of the district registrars to issue originating summonses or to answer petitions, and, in consequence, two fresh rules were issued in May last, which came into force on the 6th of June. The only remaining difficulty was in regard to the funds rules, especially rule III., which excluded district registries from their operation. This has been remedied by the District Registry Funds Rules, 1887, which came into operation on the 1st of October last. The

advantages and facilities which these rules and orders afford are considerably lessened (so far as Liverpool is concerned) by reason of the proviso to rule 6a, which prevents a district registrar, if he be a practising solicitor, from taxing costs in matters arising in his registry. It has long been the aim of the society to endeavour to unite in the office of the district registrar the various duties discharged by chief clerk, registrar, and taxing master in the High Court, and whilst the committee acknowledge that this object has been attained by these rules, the effect of the proviso alluded to is, as regards the Liverpool Registry, to prevent Mr. Registrar Lowndes (who is still in private practice) taxing bills of costs of matters in the Chancery Division. The committee are in communication with the Lord Chancellor, with the view of obtaining the removal of this restriction, as it is difficult to understand why it should be considered objectionable for a registrar, who is not restricted from taxing costs in the Common Law and Admiralty Divisions, to perform similar duties in the Chancery Division.

Land Transfer Bill.—This most important Bill, which was introduced into the House of Lords during the late session by the Lord Chancellor, has formed the subject of anxious consideration by the committee in common with other law societies in the kingdom, and members are referred to the very exhaustive report which was issued at a very early date by the Incorporated Law Society of the United Kingdom, who had the privilege of considering the Bill when in draft, the Lord Chancellor having desired to have the views of our branch of the profession upon the measure before introducing it into the House. The Bill passed the House of Lords, but, owing to pressure of business, did not come before the House of Commons. If the Government had decided to carry the Bill in the House of Commons, it was the intention of the committee to convene a general meeting of the society to discuss the measure, and to obtain the views of the members upon it. There is no doubt a Bill of the same character will be introduced in the next session of Parliament, in which case the opinion of the society will be invited upon it in the manner indicated.

LAW STUDENTS' JOURNAL.

INCORPORATED LAW SOCIETY.

The following candidates (whose names are in alphabetical order) were successful at the Preliminary Examination held on the 26th and 27th days of October, 1887:—

Allen, Henry Marsh
Applewhaite, Henry Churchill
Bailey, William Robert
Baldwin, Charles Peregrine
Banks, Samuel Arthur
Bate, George
Bayley, William Eden Stuart
Bell, Arthur Lewis
Bentham, Frederick
Berryman, Frederick
Blaber, William Henry
Booth, Benjamin
Booth, Thomas Dixon
Bowker, Henry Francis
Brian, Cadwallader George
Britcliffe, Albert Edward
Brown, William Henry Trotter
Browne, Laurence William
Buckley, Charles Arthur
Callender, George Dayrell
Cancellor, Percy Richard
Carr, Edward Chace
Carrick, Ernest
Chesney, Edward Shulldham
Clarke, Arthur Blasdale
Cockerton, Vernon Reilly
Collins, Thomas Russell Horace
Coode, Philip Melvill
Cooper, Albert James
Cosway, Percy Lee
Covey, Arthur
Crookes, Joseph Wells
Cross, Frederick Walter
Crossfield, Henry Atherton
Dargus, William Dawson
Davies, Otley Wilding
De Fleury, Adrian
De Fleury, Clifford
Derrick, William Tension
Dixon, Arthur Buckland
Dobinson, Ernest Croudace
Edmiston, Harry Percy
Edmonds, David John
Ellerton, Charles Edward Dixon
Ellis, Charles Turnley
Ellis, Thomas
Farrow, Thomas
Fell, George
Fisher, William
Fittall, Robert John
Foyster, Bernard Brereton
Franco, José Juan

Frankland, Daniel
Gibbs, Joseph Archibald Youngman
Goddard, Ernest George Bryant
Gouldsmith, Albert
Graham, Sidney Henry
Granger, Thomas Henry
Graver, William Alexander Spotswood
Green, Arthur
Green, Ernest
Gwatkin, Hugh Fortescue Wilshurst
Hand, Thomas
Hardicker, James Ogden
Haslam, Arthur
Harvey, Ernest Ma
Heeley, Tom
Hill, Herbert Woodroffe
Hill, William George
Hind, Robert Paul
Hockley, George Jacob
Hook, George
Howell, William Gough
Huggett, John Charles
Hughes, Frank
Hulme, George
Isaac, George Gower
Jacobs, George Saunders
James, Joseph Arthur
James, Thomas Frederick
Jefferies, Charles Wright
Johnson, Archie Mainwaring
Johnson, John Richard Ockleahaw
Jones, John Harry
Jones, Thomas William
Jones, William Henry
Kay, Robert Newbald
Kendall, Alfred
Kerfoot, Alfred Alan
Kirk, Herbert Reginald
Kirk, Thomas Laurence
Lascelles, Edwin Thomas
Leas, George Moreton
Bretton, Bertram Le
Lewis, Daniel
Lewis, John Pierce
Little, Charles Theodore
Lloyd, John William
Lumby, Reginald John Astley
McCrea, Francis Bramston
Macfarlane, Robert Gray
Manfield, Rupert Masterman

Margetts, Lewis Alfred Tomes
 Martin, Charles Edwin
 Mathews, Douglass
 Middleton, Robert
 Miller, Sidney James
 Morrow, William
 Mossop, William
 Noel, Ernest George
 Nonweiler, Arthur Henry David
 North, Samuel George
 Ommanney, Francis Frederick
 Overton, Samuel Goe
 Page, Arthur William
 Page, John Edward
 Parkinson, Joseph
 Patey, Henry William
 Pearson, Alexander
 Peele, Reginald
 Perkins, Herbert William
 Perry, Richard Arthur
 Pinniger, Broome
 Polhill, Sydney Gilbert
 Potts, Thomas Worthington
 Provis, Wilton Frederick Montague
 Rawlins, Northwood
 Reed, Frederick
 Reuss, John Leonard
 Richards, Henry Hooper
 Richards, Thomas
 Roe, William Henry
 Russell, Frank French Bromhead
 Ryan, Arthur Broughton Clive
 Saul, Dudley Stanton
 Scriven, Charles
 Senior, Francis Gerald
 Serjeant, Walter Holroyd
 Shearman, Frederick Burbage
 Simpson, Herbert
 Sinnott, George Stanley
 Skinner, Charles Blackett
 Skinner, Frederick Herbert
 Slaughter, Charles William
 Smith, Casson Perrott
 Smith, John Horace

Smith, William Hawker
 Snape, Alfred Henry
 Speed, George Harry
 Speke, William George
 Steward, Henry
 Stokoe, Frederick William
 Storey, William
 Swann, Oliver Howard
 Swift, George Octavius
 Tait, Duncan John
 Taylor, George Ernest
 Taylor, Joseph
 Thomas, David Pritchard
 Thomas, John Frederick
 Thomas, William Robert Cope
 Thompson, David
 Thompson, Rowland Thomas
 Tilley, John Herbert
 Toller, Edward Harold
 Tootell, Frederick Joseph
 Tunbridge, Norley
 Vickers, Arthur de Muschamp
 Westhorp
 Walker, William Smith
 Walthall, Thomas William
 Ward, Albert Edward
 Warmington, Harold Henry
 Watkins, Edwin Grover
 Watson, John
 Watts, Edmund Linton
 Webber, Arthur
 Wigg, Leslie Weston
 Williams, Frederic Leopold
 Willoughby, Richard Lionel Grey
 Willson, Christopher
 Wilson, Edward Lorimer
 Wilson, Joseph
 Wood, Ernest Edmund
 Wood, George Frederic Joseph
 Woodhouse, Rowland Berkeley
 Woodbridge, Bertram Henry
 Woolcombe, Reginald
 Yonge, Duke Mohum

NEW ORDERS, &c.

COUNTY COURTS.

I, the Right Hon. Hardinge Stanley, Baron Halsbury, Lord High Chancellor of Great Britain, do, under the powers vested in me by the County Court Rules, 1886, hereby order that the offices of the county courts may be closed on the twenty-third, twenty-fourth, the twenty-sixth, and twenty-seventh days of December, 1887. Given under my hand this second day of November, 1887. HALSBURY, C.

LEGAL NEWS.

APPOINTMENTS.

Mr. GABRIEL LINDO, solicitor, of 80, Coleman-street, has been elected a Common Councilor for the ward of Coleman-street.

Mr. FREDERICK HARCARTLE, solicitor, of Bingley, has been appointed a Commissioner to administer Oaths in the Supreme Court of Judicature.

Mr. GEORGE DENISON FAHER, barrister, who has been appointed Registrar of the Privy Council on the resignation of Mr. Henry Reeve, is the son of Mr. Charles Wilson Faber, barrister, and was born in 1852. He was educated at Marlborough College, and at University College, Oxford, where he graduated second class in Classics in 1875, and he was called to the bar at Lincoln's-inn in May, 1879. He is a member of the North-Eastern Circuit.

Mr. PHILIP JAMES HAMILTON GRIERSON, advocate, has been appointed Sheriff Substitute for Aberdeenshire, Kincardineshire, and Banffshire.

Mr. HENRY JAMES GODDEN, solicitor, of 21, Lime-street, has been appointed by Alderman Savory, Ward Clerk of Langbourne Ward, in succession to the late Mr. George Tamplin. Mr. Godden was admitted a solicitor in 1842. He is vestry clerk of the parish of St. Dionis Backchurch.

Mr. JOHN STOCKWOOD, solicitor, of Pontypridd, Llantrissant, and Cowbridge, has been elected Town Clerk of the newly-incorporated borough of Cowbridge. Mr. Stockwood was admitted a solicitor in 1852. He is clerk to the county magistrates at Cowbridge.

Mr. RICHARD MACAULAY THOMAS, solicitor, of Carmarthen, has been appointed Deputy Town Clerk of that borough. Mr. Thomas was admitted a solicitor in 1882.

Mr. WALTER OVERBURY, solicitor and notary (of the firm of Overbury & Gilbert), of Norwich, has been appointed Under-Sheriff of that city for the ensuing year. Mr. Overbury was admitted a solicitor in 1863. He is deputy registrar of the archdeaconry of Norwich, and his partner, Mr. John Wilson Gilbert, is clerk of the peace for Norwich.

Mr. ALFRED EDWARD BATEMAN, barrister, has been appointed Joint Secretary to the London Conference on the Sugar Trade. Mr. Bateman is the seventh son of the Rev. John Bateman, and was born in 1844. He was called to the bar at the Inner Temple in Michaelmas Term, 1872. He has been for many years a clerk in the Board of Trade, and he is honorary secretary to the Statistical Society.

Mr. THOMAS WHALLEY MILLAR, solicitor, of 64, Cross-street, Manchester, and Stamford-street, Altrincham, has been appointed a Commissioner to administer Oaths in the Supreme Court of Judicature.

Mr. FRANCIS TAYLOR PIGGOTT, barrister, has been appointed Legal Adviser to the Prime Minister of Japan. Mr. Piggott is the only son of the Rev. Francis Allen Piggott. He was educated at Trinity College, Cambridge. He was called to the bar at the Middle Temple in Michaelmas Term, 1876, and he is a member of the South-Eastern Circuit.

Mr. JOHN TANKERVILLE GOLDNEY, a puisne judge of the Supreme Court of the Straits Settlements, has been appointed a Commissioner for the Resumption of Crown Lands in Malacca. Mr. Justice Goldney is the son of Sir Gabriel Goldney, Bart., and was born in 1846. He was educated at Harrow and at Trinity College, Cambridge. He was called to the bar at the Inner Temple in Easter Term, 1869, and he formerly practised on the Northern Circuit. He was Attorney-General of the Leeward Islands from 1880 till 1883, and a puisne judge in British Guiana from 1883 till 1886, when he was appointed a puisne judge of the Supreme Court of the Straits Settlements.

Mr. JOHN WILLIAM HIGSON, solicitor, of Preston, has been appointed a Commissioner to administer Oaths in the Supreme Court of Judicature.

Mr. FREDERICK WILLIAM HARVEY, solicitor, of Portsmouth and Portsea, has been appointed a Commissioner to administer Oaths in the Supreme Court of Judicature.

Mr. HENRY DANIEL MOODY PAGE, solicitor and notary, of Southampton, has been appointed Under-Sheriff for the town and county of the town of Southampton for the ensuing year. Mr. Page was admitted a solicitor in 1874.

Mr. ARTHUR JOLLIFFE, solicitor, of Portsmouth, Southsea, and Gosport, has been appointed Clerk and Registrar to the Portsmouth Burial Board, on the resignation of Mr. Charles Bettesworth Hellard. Mr. Jolliffe was admitted a solicitor in 1874.

Mr. HENRY FITZGERIBSON, Q.C., who has been appointed County Court Judge for Antrim, and Recorder of the Borough of Belfast, was called to the bar in Ireland in 1848, and became a Queen's Counsel in 1868. He is a member of the North-East Circuit, and he has been for several years prosecuting Crown Counsel for the county of Down.

Mr. JOHN MORGAN HOWARD, Q.C., M.P., has been appointed Judge of County Courts for Circuit No. 59, in succession to the late Judge Bere. Judge Howard is the eldest son of Mr. John Howard Howard, solicitor, of Swansea, and was born in 1836. He was called to the bar at the Middle Temple in Easter Term, 1858, and he has practised on the South-Eastern Circuit. He became a Queen's Counsel in 1874, and in the same year he was appointed recorder of the borough of Guildford. In 1875 he presided over the Norwich Election Commission. He has been M.P. for the Dulwich Division of Camberwell since November, 1885. Judge Howard is a magistrate for the county of Middlesex and a bencher of the Middle Temple.

We announced last week that Mr. James Lumb had been appointed as Puisne Judge of the Supreme Court of Trinidad. We are informed that the person appointed is Mr. CHARLES FREDERICK LUMB, who was born in 1846, educated at Downing College, Cambridge, and was called to the bar at Lincoln's-inn in January, 1874, and practised on the Northern Circuit, and at Liverpool, Kirkdale, Bolton, and Wigan Sessions. He held the office of counsel for Mint Prosecutions for the above sessions.

LEGAL MAYORS

Mr. THOMAS WRIGHT, solicitor (of the firm of Wright, Williams, & Wright), of Leicester, has been elected Mayor of that borough for the ensuing year. Mr. Wright was admitted a solicitor in 1875.

Mr. WILLIAM TREVENEN, solicitor, of Helston, has been elected Mayor of that borough for the third time. Mr. Trevenen was admitted a solicitor in 1854.

Mr. THOMAS REES, solicitor (of the firm of Rees & Gwyn), of Cowbridge, has been elected Mayor of that borough for the ensuing year. Mr. Rees was admitted a solicitor in 1867.

Mr. VALENTINE STAPLETON, solicitor, of Stamford and Market Deeping, has been elected Mayor of the borough of Stamford for the ensuing year. Mr. Stapleton was admitted a solicitor in 1863.

Mr. BECHER TIDD PRATT, solicitor, of Newark, has been elected Mayor of that borough for the fifth time. Mr. Pratt was admitted a solicitor in 1854. He is one of the borough aldermen.

Mr. ALFRED TOM ROGERS, solicitor, of Richmond, has been elected Mayor of that borough for the ensuing year. Mr. Rogers was admitted a solicitor in 1873. He is clerk to the Richmond Highway Board, and to the governors of the Richmond Grammar School.

Mr. JOHN EUSTACE GRUBBE, barrister, has been elected Mayor of the borough of Southwold for the ensuing year. Mr. Grubbe is the second son of Mr. John Grubbe, and was born in 1815. He was educated at Eton and at Pembroke College, Oxford, and he was called to the bar at the Inner Temple in Trinity Term, 1841. Mr. Grubbe is a magistrate for Southwold and for the county of Suffolk.

Mr. WILLIAM CORNWALLIS WEST, barrister, M.P., has been re-elected Mayor of the borough of Ruthin for the ensuing year. Mr. West is the second son of Mr. Frederick Richard West, and was born in 1835. He was educated at Eton, and he was called to the bar at Lincoln's-inn in Trinity Term, 1862. He is Lord-Lieutenant of Denbighshire, and he has

been M.P. for the Western Division of that county in the Liberal interest since December, 1885.

PARTNERSHIP DISSOLVED.

BERTIE HALLETT and HENRY PHILLIPSON SPOTTISWOODE, solicitors (Hallett & Spottiswoode), 32, Craven-street, Charing Cross, London. November 9. [London Gazette, Nov. 15.]

GENERAL.

The London correspondent of the *Manchester Guardian* says that the absence of Lord Esher from the Lord Mayor's banquet was owing to a slight on the part of an over-zealous steward last year, who was constantly requesting the Master of the Rolls to keep back on the dais, as they were "expecting the Lord Chancellor and the Prime Minister."

In the course of his summing up to the jury in a case of *Colson v. Ratcliffe*—an action for malicious prosecution—on the 11th inst., Mr. Justice Manisty remarked that he "wished to say most strongly that if solicitors lent themselves to put the criminal law in operation in order to enforce a civil right they placed themselves in a very dangerous position."

The Departmental Committee inquiring into the Solicitors' Department of the Treasury have resumed their sittings at the Royal Courts of Justice. The chairman, Sir Henry James, Lord Justice Bowen, Mr. H. H. Fowler, Mr. J. Hollams, and Mr. F. Mowatt were present on the 10th inst. The Hon. H. Cuffe and Mr. Chance were examined as witnesses.

The *Liverpool Journal of Commerce* says that at the Liverpool Assizes, on Saturday, during the hearing of a case in the Civil Court, a question arose as to the date when the pleadings were delivered. Mr. Justice Grantham, in pointing out how quickly cases were disposed of in the provinces, said that in the case before him the writ was issued on the 4th instant and they were now trying it, and yet he was told that Liverpool solicitors were not satisfied. When the judges returned to London they would be trying cases a year old, because they had to come down to the assizes so often. Liverpool solicitors got their causes disposed of ten times quicker than did London litigants, and yet they were not satisfied.

At the Liverpool Assizes on the 11th inst. several cases were called on, and, as the parties were not ready, the business of the court was delayed for a few minutes. Mr. Justice Grantham complained of the delay, and said it was all the more remarkable because the solicitors in Liverpool were always complaining that they did not get enough time from the judges. Mr. Addison, Q.C.: We complain that we haven't enough to do. His lordship said he did not know what the barristers' complaint was, but he knew what the solicitors were always saying. Mr. Addison said there was no complaint now; it was made three years ago. His lordship: In Manchester we had a cause list of ten, but here we have a list of thirty-four, and at half-past three o'clock on the first day there's nothing to do. I think we had better go back to London instead of stopping here. Where solicitors will instruct almost the same counsel in every case, they should instruct them early, so that they can read their briefs.

At a meeting of the City of London Tradesmen's Club on the 10th inst., Mr. F. Kent moved: "That, in the opinion of this club, the time has arrived when the distinction between barristers and solicitors should cease, and the two branches of the profession be merged, and that solicitors should be allowed the same right of audience as barristers in the Mayor's Court, London." Mr. Kent asked why should not solicitors be able to plead—a solicitor who knew the in-and-outs of the case? When a very much younger man he had a case before Mr. Russell Gurney in the Mayor's Court. The barrister engaged by him did not put in an appearance, and at the Recorder's request he conducted the case, and won it. Mr. Russell Gurney, however, distinctly stated that it was not to be taken as a precedent. The reasons for merging the two professions were overwhelming. The motion was seconded by Mr. Longley. On the motion of Mr. W. G. Kent the subject was adjourned.

COURT PAPERS.

SUPREME COURT OF JUDICATURE.

ROTA OF REGISTRARS IN ATTENDANCE ON

Date.	APPEAL COURT No. 1.	APPEAL COURT No. 2.	Mr. Justice KAY.	Mr. Justice CHITTY.
Mon., Nov. 21	Mr. Jackson	Mr. Godfrey	Mr. Clowes	Mr. Rolt
Tuesday ... 22	Koe	Leach	Pemberton	Ward
Wednesday 23	Carrington	Godfrey	Clowes	Rolt
Thursday ... 24	Lavie	Leach	Pemberton	Rolt
Friday ... 25	Beal	Godfrey	Clowes	Ward
Saturday ... 26	Pugh	Leach	Pemberton	Ward
		Mr. Justice NORTH.	Mr. Justice STIRLING.	Mr. Justice KKEWICH.
Monday, November ... 21	Mr. Lavie	Mr. Pugh	Mr. Koe	Mr. Jackson
Tuesday ... 22	Carrington	Beal	Koe	Jackson
Wednesday ... 23	Lavie	Pugh	Koe	Jackson
Thursday ... 24	Carrington	Beal	Koe	Jackson
Friday ... 25	Lavie	Pugh	Koe	Jackson
Saturday ... 26	Carrington	Beal	Koe	Jackson

WARNING TO INTENDING HOUSE PURCHASERS AND LESSEES.—Before purchasing or renting a house have the Sanitary arrangements thoroughly examined by an expert from The Sanitary Engineering & Ventilation Co., 115, Victoria-st., Westminster (Estab. 1875), who also undertake the Ventilation of Offices, &c.—[ADVT.]

WINDING UP NOTICES.

JOINT STOCK COMPANIES.

LIMITED IN CHANCERY.

London Gazette.—FRIDAY, Nov. 11.

ALABAMA, NEW ORLEANS, TEXAS, AND PACIFIC JUNCTION RAILWAYS COS. LIMITED.—By an order made by Stirling, J., dated Oct 29, it was ordered that the voluntary winding up of the company be continued. Ashurst & Co, Old Jewry, solicitors for petitioners.

CONDENSED WORT AND BREWING MEAL CO. LIMITED.—Creditors are required, on or before Dec 3, to send their names and addresses, and the particulars of their debts or claims, to Joseph Ashdown, Mistley, Essex. Wednesday, Dec 14, at 12, is appointed for hearing and adjudicating upon the debts and claims.

GENERAL AUCTION, ESTATE, AND MONETARY CO. LIMITED.—Stirling, J., has fixed Tuesday, Nov 22, at 12, at his chambers, for the appointment of an official liquidator.

MIDDLESEX MANUFACTURING CO. LIMITED.—Chitty, J., has fixed Monday, Nov 21, at 12, at his chambers, for the appointment of an official liquidator.

VICTORY, LIMITED.—Petn for winding up, presented Nov 10, directed to be heard before North, J., on Saturday, Nov 19. Rogers & Chavo, Gt Winchester st, solicitors for petitioner.

FRIENDLY SOCIETIES DISSOLVED.

AMALGAMATED BUFFALO TONTINE SICK AND BURIAL SOCIETY, Robin Hood Inn, Crellin st, Barrow. Nov 7.

CANNING TOWN INDUSTRIAL AND PROVIDENT CO-OPERATIVE SOCIETY, LIMITED, 107, Rathbone st, Canning Town. Nov 4.

COMPANION FRIENDLY SOCIETY, Suffolk Arms, Boston st, Hackney rd. Nov 4.

LOVAL UNION FRIENDLY SOCIETY, Wesleyan Sunday School, Mill st, Macclesfield. Nov 5.

SHIPTON CO-OPERATIVE INDUSTRIAL AND PROVIDENT SOCIETY, Shipton under Wychood, Oxford. Nov 5.

UNITED BROTHERS' BENEFIT SOCIETY, Star Hotel, Newport, Southampton. Nov 8.

London Gazette.—TUESDAY, Nov 15.

JOINT STOCK COMPANIES.

LIMITED IN CHANCERY.

BOLTON & PARTNERS, LIMITED.—Creditors are required, on or before Dec 3, to send their names and addresses, and the particulars of their debts or claims, to Robert Levitt Impey, 26, Waterloo st, Birmingham. Thursday, Dec 22, at 11, is appointed for hearing and adjudicating upon the debts and claims.

BRITISH COSMO CO. LIMITED.—Petn for winding up, presented Nov 11, directed to be heard before Stirling, J., on Nov 18. Byrde, Chancery lane, agent for Slater & Co, Manchester, solicitors for petitioners.

BRITISH DINNERS CO. LIMITED.—By an order made by Charles, J., dated Nov 5, it was ordered that the voluntary winding up of the company be continued. Langlois & Bilen, Leadenhall st, solicitors for petitioners.

CORD MAWE POOL AND FRIDD LEAD MINING CO. LIMITED.—Chitty, J., has fixed Thursday, Nov 24, at 11, at his chambers, for the appointment of an official liquidator.

GENERAL AUCTION, ESTATE, AND MONETARY CO. LIMITED.—By an order made by Stirling, J., dated Nov 5, it was ordered that the company be wound up. Whale & Clarke, Queen Victoria st, solicitors for petitioner.

GRADUATED COUNTY SCHOOLS ASSOCIATION, LIMITED.—Creditors are required, on or before Dec 12, to send their names and addresses, and the particulars of their debts or claims, to Richard Booth, 11, Stone bridge, Lincoln's inn. Monday, Dec 19, at 12, is appointed for hearing and adjudicating upon the debts and claims.

SOUTHERN-ON-SEA AND DISTRICT AUXILIARY RAILWAYS AND CARRIAGE CO. LIMITED.—Creditors are required, on or before Dec 24, to send their names and addresses, and the particulars of their debts or claims, to William Henry Jefferies, 19, Gt George st, Westminster. Monday, Jan 9, at 11, is appointed for hearing and adjudicating upon the debts and claims.

VICTORY, LIMITED.—Petn for winding up, presented Nov 11, directed to be heard before North, J., on Saturday, Nov 19. Barber, Gracechurch st, solicitor for petitioner.

COUNTY PALATINE OF LANCASTER.

LIMITED IN CHANCERY.

LIVERPOOL EXCHANGE BANKING CO. LIMITED.—By an order, dated Oct 10, John Sutherland Harwood Banner, 24, North John st, Liverpool, has been appointed official liquidator.

FRIENDLY SOCIETIES DISSOLVED.

CROWN UNION FRIENDLY SOCIETY, Crown Inn, Tingewick, Buckingham. Nov 11.

OVERMEN, KILNEN, AND SAGGAR MAKER'S BURIAL SOCIETY, Marquis of Granby Inn Hanley, Stafford. Nov 11.

STEEPLE ASTON FRIENDLY SOCIETY, Steeple Aston, Oxford. Nov 12.

YOUNG FEMALE BENEFIT SOCIETY, Mr. James Woodward's, Weaverham. Nov 8.

FRIENDLY SOCIETIES.

SUSPENDED FOR THREE MONTHS.

KNOWL GREEN CONGREGATIONAL MUTUAL FRIENDLY SOCIETY, Congregational School, Knowl Green, Longridge, nr Preston, Lancaster. Nov 10.

CREDITORS' NOTICES.

UNDER 22 & 23 VICT. CAP. 35.

LAST DAY OF CLAIM.

London Gazette.—FRIDAY, Nov. 4.

ADAM, HERCULE CHARLES ACHILLE, Boulogne sur Mer, Banker. Dec 31. Willis, St Thomas st, S.E.

BAMFORD, CHARLES, Market Rasen, Lincoln, Retired Coal Merchant. Dec 31. Rhodes, Market Rasen.

BAYDEN, EDWARD, Sellindge, Kent, Farmer. Dec 31. Willis, Abingdon st.

BLATHERWICK, JOANNA, Dyott st, Bloomsbury. Dec 18. Withall & Co, Bedford row.

BRADWELL, HORATIO, Parker's rd, Broomhill, Sheffield, Grocer. Dec 3. Bagshawe & Hall, Sheffield.

BRANSCOMBE, HENRY, Croydon, Shipping Agent. Dec 31. Law & Worsam, Holborn viaduct.

BROUGHTON, HERON, Macaulay rd, Clapham, Esq. Dec 1. Ridsdale & Son, Gray's inn sq.

CAIDICOTT, LEONARD, Edgbaston, nr Birmingham, Gent. Dec 12. King & Ludlow, Birmingham.

CHAPLIN, MARY WALLER, Bures Hamlet, Suffolk. Dec 10. White, Colchester.

DAWSON, WILLIAM, Leytonstone rd, Stratford, Gent. Dec 5. Layton & Co, Budge row.

DIGGLE, WILLIAM, Bagulgate, Rochdale, Lancashire, Gent. Jan 31. Stott & Co., Rochdale.

DUNN, MARGARET, Lovaine pl, Newcastle upon Tyne. Dec 8. Dees & Thompson, Newcastle upon Tyne.

DUNN, MARTIN, Lovaine pl, Newcastle upon Tyne, Barrister at Law. Dec 8. Dees & Thompson, Newcastle upon Tyne.

FINCHAM, CATHERINE ANN, Dartmouth park avenue, Middlesex. Dec 10. Morice & Co, Serjeant's inn.

GEORGE, HARRIET SARAH, Cheltenham. Dec 1. Bubb & Co, Cheltenham.

GRIMWADE, SAMUEL, Queen Victoria st, Wholesale Stationer. Dec 30. Saxelby & Faulkner, Ironmonger lane.

HARRISON, MARIA, Russell terr, Royal Leamington Spa. Dec 8. Young, Newgate st.
 HARBOLD, HELEN ALICIA CATHERINE, Loughborough, Leicesters. Dec 1. Deane & Hands, Loughborough
 HETHERINGTON, HERBERT HENRY, New Hampton. Dec 5. Griffiths, Warwick court, Gray's inn
 HOUNSELL, JONATHAN, Holnest, Dorset, Yeoman. Dec 5. Andrews & Co, Dorchester
 HOWITT, RICHARD LEAVER, Farnsfield, Nottingham, Gent. Dec 31. Watson & Co, Nottingham
 KIRCHINGMAN, MARY, Doncaster. Dec 9. Parkin & Co, Doncaster
 JAGUES, JAMES MILESTONE, Farnham Royal, Bucks, Gent. Dec 1. Saxelby & Faulkner, Ironmonger lane
 LITTLE, ISABELLA, West Derby, Lancaster. Nov 30. Radcliffe & Smith, Dale st, Liverpool
 LITTLE, ROBERT, Huskisson st, Liverpool, Gent. Nov 30. Radcliffe & Smith, Dale st, Liverpool
 LONGSTER, LUCK, Malton, York. Dec 31. Jackson & Co, Malton
 MCINNES, JOHN ANDERSON, Barmouth, Gent. Dec 12. Radcliffe & Smith, Dale st, Liverpool
 MERRETT, JOHN, Devonshire rd, Forest Hill, Gent. Dec 10. C.B. Randall & Son, Copthall bldgs
 MILLS, JOB, Broad Blunsdon, Wilts, Farmer. Dec 24. Robert R. Elwell, Highworth, Wilts
 MOORE, REV HENRY, Derby, Clerk. Dec 15. Robotham & Co, Derby
 OCKMORE, MICHAEL, Merton, Surrey, Licensed Victualler. Dec 16. Pearce, Essex st, Strand
 PARSONS, SAMUEL, Grazebrook rd, Hackney, Gent. Dec 30. Price & Son, Walbrook
 PARKIN, JOHN, Strand, Swansea, Licensed Victualler and Contractor. Dec 1. R. & C. B. Jenkins, Swansea
 PASSMORE, ROBERT, Three Colt st, Limehouse, Merchant. Dec 5. Marsh, Fen court, Fenchurch st
 POSTLETHWAITE, JOHN, Eskott, Lamplugh, Cumberland, Iron Ore Proprietor Dec 5. Brown, Whitehaven
 PRATT, ROBERT, Farquhar rd, Upper Norwood, C.B., Retired General. Dec 9. Fladgate & Fladgate, Craven st
 RICHARDSON, AUGUST HANS JULIUS, Spurstowe rd, Hackney, Captain Eastern Telegraph Co. Dec 1. Emanuel & Simmonds, Finsbury circus
 SAINT, JOHN, Alkington, Longford, Derby, Farmer. Dec 16. Sale & Co, Derby
 SEELY, CHARLES, Isle of Wight, Esq. Nov 30. Tweed & Co, Lincoln
 SHAW, JOHN, Redhill, Surrey, Secretary South Eastern Railway Co. Dec 31. Willis, St Thomas st
 SMITH, EDGAR, Forster rd, Southampton, Gent. Dec 5. Pearce & Co, Southampton
 SNAPE, REV JAMES, Longsight, Manchester, Clerk. Dec 10. W. A. & R. Ascroft, Preston
 SYKES, GEORGE, Hackthorn, Lincoln, Farmer. Dec 31. Rhodes, Market Rasen
 TELFORD, THOMAS, Gillespie rd, Highbury, Watchmaker. Dec 28. Gowing & Co, Finsbury pavement, E.C.
 THISTLETHWAITE, AUGUSTUS FREDERICK, Grosvenor sq, Esq. Dec 12. Young & Co, Essex st
 THOMAS, ANNA MARY, Leomansley, nr Lichfield. Dec 1. Jennings & Co, Burton on Trent
 TWEDDALE, SAMUEL, Bagelate, Rochdale, Lancaster, Gent. Dec 31. Sto tt & Co, Rochdale

BANKRUPTCY NOTICES.

London Gazette.—FRIDAY, Nov. 11.

RECEIVING ORDERS.

BADGER, WILLIAM JAMES, Allcroft rd, Haverstock Hill, Mineral Water Manufacturer. High Court. Pet Nov 7. Ord Nov 7
 BARSELMAN, WILLIAM, Gt Tower st, Provision Merchant. High Court. Pet Sept 16. Ord Nov 7
 BRITTON, JOHN, Nottingham, Watchmaker. Nottingham. Pet Nov 8. Ord Nov 8
 BROE, JOHN JOSEPH, Kingston upon Hull, Physician. Kingston upon Hull. Pet Nov 7. Ord Nov 7
 BRUNT, JOSEPH BAKER, Cadoxton juxta Barry, Glamorgan, Hay Dealer. Cardiff. Pet Nov 7. Ord Nov 7
 BYRNE, CHARLES HENRY, Wednesbury, Grocer. Walsall. Pet Nov 7. Ord Nov 7
 CHARLES, JOHN MORGAN, Pontliff, Glamorgan, Grocer. Merthyr Tydfil. Pet Nov 7. Ord Nov 7
 CRANE, HENRY, Chatteris, Cambridge, Boot Maker. Peterborough. Pet Nov 8. Ord Nov 8
 CULLIFORD, SAMUEL, Martock, nr Priddy, Somerset, Butcher. Yeovil. Pet Nov 7. Ord Nov 7
 EARLAND, MARK, Cullompton, Devon, Coach Builder. Exeter. Pet Nov 9. Ord Nov 9
 EASTER, HERBERT, Corby, Lincs, Plumber. Nottingham. Pet Nov 7. Ord Nov 7
 EVE, ARTHUR, Victoria rd, Kensington, Printer. High Court. Pet July 29. Ord Nov 9
 FRAMTEE, JEHANGEER, New Broad st, East India Merchant. High Court. Pet Sept 26. Ord Nov 9
 GALLOWAY, WALTER READ, Peckham rye, Wine Merchant. High Court. Pet Nov 8. Ord Nov 8
 HALE, WILLIAM EDMUND BRAND, King's Walden pk, Hitchin, Gent. High Court. Pet May 17. Ord Nov 9
 HOLLINGWORTH, ALBERT, Bradford, Grocer. Bradford. Pet Nov 8. Ord Nov 8
 HOPKINS, G, Henry st, St John's Wood, Builder. High Court. Pet Oct 14. Ord Nov 9
 JACKSON, WILLIAM RICHARD, March, Cambridge, Boatwright. Peterborough. Pet Nov 8. Ord Nov 8
 JAY, ALFRED, address unknown, Perfumer. High Court. Pet Oct 31. Ord Nov 7
 JONES, DAVID, Rhoslanerchrugog, nr Wrexham, Collier. Wrexham. Pet Nov 8. Ord Nov 8
 JOWETT, JOHN, Burnley, Lancs, Tea Dealer. Burnley. Pet Nov 8. Ord Nov 8
 KINDRED, JOHN, Alston, Cumberland, Farmer. Carlisle. Pet Oct 34. Ord Nov 7
 KIRKLAND, WILLIAM, Howden, Yorks, Printer. Kingston upon Hull. Pet Nov 9. Ord Nov 9
 LERCH, MARY, Brighton, Spinster. Brighton. Pet Nov 7. Ord Nov 7
 LETHBRIDGE, OLIVER, Tedburn St Mary, Devon, Seed Merchant. Exeter. Pet Nov 8. Ord Nov 8
 LINDSEY, FREDERICK WILLIAM HENRY, Bicester, Oxford, Solicitor. Oxford. Pet Nov 7. Ord Nov 7
 LOCK, ARTHUR EASTERBY, Upper Richmond rd, Putney, Oilman. Wandsworth. Pet Nov 5. Ord Nov 5
 MARTIN, THOMAS, St Gluvias, Cornwall, Innkeeper. Truro. Pet Nov 7. Ord Nov 7
 MCILROY, ISAAC, Clifton, Bristol, Clerk. Bristol. Pet Nov 8. Ord Nov 8

NETTLETON, DAVID, Dewsbury, Yorks, Publican. Dewsbury. Pet Nov 9. Ord Nov 9
 OXFORD, WILLIAM, Westbourne, Hants, Grocer. Poole. Pet Oct 28. Ord Nov 9
 PARRY, HENRY HORATIO, Cardiff, Shipbroker. Cardiff. Pet Nov 7. Ord Nov 8
 PICKETT, JOSEPH, South Hill Park, Builder. High Court. Pet Nov 7. Ord Nov 7
 RALPH, CHARLES, Coughton, Warwickshire, Farmer. Warwick. Pet Nov 7. Ord Nov 7
 REDSHAW, HENRY, Leeds, out of business. Leeds. Pet Nov 9. Ord Nov 9
 RIDLEY, HERBERT, Ipswich, General Warehouseman. Ipswich. Pet Nov 4. Ord Nov 4
 ROPER, FREDERICK, Halifax, Ironmonger. Halifax. Pet Nov 7. Ord Nov 7
 SAUNDERS, CHARLES PAGET, Gt Malvern, Tailor. Worcester. Pet Nov 9. Ord Nov 9
 SCOTFORD, CHARLES, Llanrug, Carnarvonshire, Quarry Labourer. Bangor. Pet Nov 7. Ord Nov 7
 SMITH, JOHN, Byron rd, Wealdstone, General Dealer. St Albans. Pet Nov 8. Ord Nov 8
 TILDESLEY, JOHN, Southall, Baker. Windsor. Pet Oct 24. Ord Nov 5
 WALTER, THOMAS, Chesterton, Cambridgeshire, Coffee Tavern Manager. Cambridge. Pet Nov 9. Ord Nov 9
 RAINGER, JAMES FREDERICK, Billet rd, Chapel End, Walthamstow, Brickmakers' Foreman. High Court. Pet Nov 9. Ord Nov 9
 FIRST MEETINGS.
 BALL, WALTER, Middlesex st, Aldgate, Baker. Nov 18 at 11. 33, Carey st, Lincoln's inn
 BELLARS, WILLIAM, Manchester, Plumber. Nov 21 at 11. Off Rec, Ogden's chhrs, Bridge st, Manchester
 BILLS, THOMAS, Bushey hill rd, Camberwell, Draper. Nov 18 at 12. 33, Carey st, Lincoln's inn
 BRYCE, GEORGE, address unknown, Cheesemonger. Nov 18 at 2.30. 33, Carey st, Lincoln's inn
 BYRNE, CHARLES HENRY, Wednesbury, Staffordshire, Grocer. Nov 23 at 11.15. Off Rec, Walsall
 CHATFIELD, ALBERT SAMUEL, Hampton in Arden, Warwickshire, Butler. Nov 23 at 11. 25, Colmore row, Birmingham
 CRANE, HENRY, Chatteris, Cambridgeshire, Bootmaker. Nov 25 at 12. County Court, Peterborough
 CROSBLEY, WILLIAM, Castleton, Derbyshire, Licensed Victualler. Nov 18 at 11.30. Off Rec, County chhrs, Market pl, Stockport
 CULLEN, SAMUEL, Martock, nr Priddy, Somersetshire, Butcher. Nov 18 at 1. Off Rec, Salisbury
 DAVISON, JOHN ROBERT, Binbrook, Lincs, Provision Dealer. Nov 23 at 1. Off Rec, 3, Haven st, Gt Grimsby
 DENSHAM, WALTER TEALE, Bude, Cornwall, Jeweller. Nov 18 at 11. Stanhope Hotel, Holsworthy
 DUNN, JAMES ALFRED, Rowland gardens, South Kensington. Nov 18 at 2.30. 33, Carey st, Lincoln's inn
 EMMETT, WILLIAM, Leeds, Flour Dealer. Nov 21 at 11. Off Rec, 22, Park row, Leeds
 FINCH, JOHN BARNARD, Birchington on Sea, Kent, Builder. Nov 23 at 4. 53 High st, Margate
 FLOWERS, WILLIAM THOMAS, Addiscombe rd, Croydon, Beer Retailer. Nov 18 at 3. 109, Victoria st, Westminster
 FREEMAN, ALBERT HENRY, Prisoner at Wakefield, Hay Dealer. Nov 22 at 11.30. Off Rec, 3, East gate, Barnsley
 GREEN, ABEL, Tunstall, Farmer. Nov 24 at 11.15. Off Rec, Newcastle-under-Lyme
 HARVEY, GEORGE, William st, Hampstead rd, Carrier. Nov 18 at 11. 33, Carey st, Lincoln's inn
 HOLDSWORTH, JOHN, jun, Gomersal, Yorks, Musical Instrument Dealer. Nov 18 at 3. Off Rec, Bank chhrs, Batley
 HOWE, CHARLES WILLIAM, Bridgwater, Chair Manufacturer. Nov 19 at 11. Bristol Arms Hotel, Bridgwater
 IDLE, HERBERT WALTER (sep estate), The Chase, Clapham, Builder. Nov 21 at 4.30. 109, Victoria st, Westminster
 JACKSON, WILLIAM RICHARD, Isle of Ely, Cambridgeshire, Boatwright. Nov 25 at 12. County Court, Peterborough
 KINDRED, JOHN, Alston, Cumberland, Farmer. Nov 21 at 12. Off Rec, 34, Fisher st, Carlisle
 LETHBRIDGE, OLIVER, Tedburn St Mary, Devon, Seed Merchant. Nov 23 at 11. Off Rec, 13, Bedford circus, Exeter
 MOIR, ALEXANDER MITCHELL, Barnet, Commission Agent. Nov 18 at 12.30. Cannon st Hotel
 NEWTON, JOHN (Sep Estate), The Chase, Clapham, Builder. Nov 21 at 4. 109, Victoria st, Westminster
 NEWTON, JOHN, and IDLE, HERBERT WALTER, The Chase, Clapham, Builders Nov 21 at 3. 109, Victoria st, Westminster
 RAWCLIFFE, JOSEPH, Leeds, Grocer. Nov 21 at 12. Off Rec, 22, Park row, Leeds
 REED, THOMAS, Brunswick rd, Poplar, Corn Dealer. Nov 18 at 12. 33, Carey st, Lincoln's inn
 RICHARDS, THOMAS, Coseley, Staffordshire, Surveyor. Nov 18 at 10.15. Off Rec, Dudley
 ROGERS, JAMES HENRY, Frome, Woollen Manufacturer. Nov 23 at 12.30. Off Rec, Bank chambers, Bristol
 ROSS, JOHN CASE, Wimborne Minster, Dorsetshire, Grocer. Nov 18 at 3. Off Rec, Salisbury
 ROTHEROE, WILLIAM, Birmingham, Builder. Nov 22 at 11. 25, Colmore row, Birmingham
 RUDEFORTH, HENRY, Kingston upon Hull, Cowkeeper. Nov 18 at 11. Incorporated Law Society, Lincoln's inn bldgs, Bowdley lane, Hull
 SAUNDERS, CHARLES PAGET, Great Malvern, Tailor. Nov 25 at 11. Off Rec, Worcester
 SMITH, THOMAS JAMES, West Smethwick, Staffs, Coal Dealer. Nov 21 at 10.30 County Court, Oldbury
 SWALES, ROBERT, Bridlington, Yorks, Horse Dealer. Nov 18 at 12. Off Rec, 74, Newborough st, Scarborough
 THOMAS, JAMES WILLIAM, Carmarthen, Tea Merchant. Nov 18 at 11. Off Rec, Carmarthen
 WALTER, THOMAS, Chesterton, Cambs, Coffee Tavern Manager. Nov 21 at 3.30. George Hotel, Bedford
 WOODGER, HENRY LAMBIE, Scarborough, Fish Salesman. Nov 18 at 2. Off Rec, 74, Newborough st, Scarborough
 WOODS, THOMAS, New Clew, Lincolnshire, Smack Owner. Nov 23 at 12.30. Off Rec, 3, Haven st, Gt Grimsby
 ADJUDICATIONS.
 ATKINS, GEORGE, Leicester, Boot Manufacturer. Leicester. Pet Oct 13. Ord Nov 8
 BEDDOW, FREDERICK, Wolverhampton, Licensed Victualler. Wolverhampton. Pet Oct 21. Ord Nov 7
 BLEASE, HERBERT WILLIAMSON, Liverpool, Provision Merchant. Liverpool. Pet Sept 15. Ord Nov 7
 BROE, JOHN JOSEPH, Kingston upon Hull, Physician. Kingston upon Hull. Pet Nov 7. Ord Nov 7
 BROOK, WILLIAM, Osett, Yorks, Wool Extractor. Dewsbury. Pet Oct 19. Ord Nov 7
 BRUNT, JOSEPH BAKER, Cadoxton juxta Barry, Glamorganshire, Hay Dealer. Cardiff. Pet Nov 7. Ord Nov 8

BYRNE, CHARLES HENRY, Wednesbury, Grocer. Walsall. Pet Nov 7. Ord Nov 8.
 CHALONER, ROBERT PICKERING, York, no occupation. York. Pet Nov 3. Ord Nov 3.
 CHARLES, JOHN MORGAN, Pontliff, Glamorganshire, Grocer. Merthyr Tydfil. Pet Nov 7. Ord Nov 7.
 CRANE, HENRY, Chatteris, Cambridgeshire, Bootmaker. Peterborough. Pet Nov 7. Ord Nov 8.
 CROSSLEY, WILLIAM, Castleton, Derbyshire, Licensed Victualler. Stockport. Pet Nov 4. Ord Nov 7.
 DAVIES, WILLIAM, Rhosymedre, nr Ruabon, Grocer. Wrexham. Pet Oct 13. Ord Nov 9.
 EAST, FRANK, Kingsland rd. High Court. Pet Nov 2. Ord Nov 7.
 EASTER, HERBERT, Corby, Lincs, Plumber. Nottingham. Pet Nov 7. Ord Nov 7.
 EDGLEY, ROBERT WILLIAM, Gurney st, Walworth, Builder, &c. High Court. Pet Sept 15. Ord Nov 8.
 GREENWAY, KELYNCE, THOMAS GREENWAY, GEORGE CATTELL GREENWAY, and SAMUEL CLARK SMITH, Leamington, Bankers. Warwick. Pet Sept 9. Ord Sept 14.
 HANDSON, GEORGE, Bedale, Yorks, Jeweller. Northallerton. Pet Nov 3. Ord Nov 7.
 HICKLIN, ALFRED, Newington Green rd. High Court. Pet Sept 25. Ord Nov 7.
 HOLDSWORTH, JOHN, jun, Gomersal, Yorks, Musical Instrument Dealer. Dewsbury. Pet Nov 4. Ord Nov 9.
 HOLLINGWORTH, ALBERT, Bradford, Grocer. Bradford. Pet Nov 8. Ord Nov 8.
 HUEST, HARRY, Bath, Pork Butcher. Bath. Pet Oct 20. Ord Nov 8.
 JACKSON, WILLIAM RICHARD, March, Cambridge, Boatwright. Peterborough. Pet Nov 8. Ord Nov 8.
 JONES, DAVID, Rhoslanerchrugog, nr Wrexham, Collier. Wrexham. Pet Nov 1. Ord Nov 8.
 JOWETT, JOHN, Burnley, Tea Dealer. Burnley. Pet Nov 8. Ord Nov 8.
 KIRKLAND, WILLIAM, Howden, Yorks, Printer. Kingston upon Hull. Pet Nov 9. Ord Nov 9.
 LETHBRIDGE, OLIVER, Tedburn St Mary, Devon, Seed Merchant. Exeter. Pet Nov 8. Ord Nov 8.
 LILES, JOHN, East Hamlets, Shropshire, Ale Agent. Leominster. Pet Oct 24. Ord Nov 7.
 MARTIN, THOMAS, St Gluvias, Cornwall, Innkeeper. Truro. Pet Nov 7. Ord Nov 7.
 MILLER, DAVID, Preston, Auctioneer. Preston. Pet Oct 19. Ord Nov 8.
 PRENDERGAST, MARTIN JOSEPH, Liverpool, Supplier of Brushmakers' Materials. Liverpool. Pet Nov 2. Ord Nov 8.
 RALPH, CHARLES, Coughton, Warwickshire, Farmer. Warwick. Pet Nov 7. Ord Nov 7.
 RANDELL, JOSEPH, Aldershot, Ironmonger. Guildford and Godalming. Pet Nov 2. Ord Nov 8.
 RECORD, THOMAS, Frowlesworth, Leicestershire, Farmer. Leicester. Pet Aug 31. Ord Nov 8.
 REDSHAW, HENRY, Leeds, out of business. Leeds. Pet Nov 9. Ord Nov 9.
 REID, THOMAS, Brunswick rd, Poplar, Corn Dealer. High Court. Pet Oct 11. Ord Nov 7.
 ROLLINGS, ALEXANDER, Newman st, Oxford st, Clerk. High Court. Pet Oct 25. Ord Nov 8.
 SAUNDERS, CHARLES PAGET, Gt Malvern, Tailor. Worcester. Pet Nov 9. Ord Nov 9.
 SCOTFORD, CHARLES, Llanrug, Carmarthenshire, Quarry Labourer. Bangor. Pet Nov 7. Ord Nov 7.
 SWAINE, THOMAS, Macclesfield, Watchmaker. Macclesfield. Pet Nov 2. Ord Nov 3.
 THOMASSON, JOHN LIGHTLAND, Worcester, Plumber. Worcester. Pet Nov 1. Ord Nov 8.
 WALTER, THOMAS, Chesterton, Cambridgeshire, Coffee Tavern Manager. Cambridge. Pet Nov 9. Ord Nov 9.
 WEBB, GEORGE, Powell rd, Lower Clapton, Gent. High Court. Pet Oct 12. Ord Nov 7.
 WILSON, JOHN, Colchester, Licensed Victualler. Colchester. Pet Nov 2. Ord Nov 7.
 WOODHEAD, EDMUND, Batley, Yorks, out of business. Dewsbury. Pet Nov 1. Ord Nov 7.

London Gazette.—TUESDAY, NOV. 15.
RECEIVING ORDERS.
 ABEILL, EDWARD, Newcastle on Tyne, Grocer. Newcastle on Tyne. Pet Nov 11. Ord Nov 11.
 ARNOTT, JOHN, Boston, Lincolnshire, Gas Engineer. Boston. Pet Nov 10. Ord Nov 10.
 ARTHUR, SAMUEL REES, Tongwynlais, nr Cardiff, Miller. Cardiff. Pet Nov 8. Ord Nov 8.
 BECK, JOHN, Threshfield, Yorks, Farmer. Bradford. Pet Nov 9. Ord Nov 10.
 BOSWORTHICK, MARTIN, Devonport, Bootmaker. East Stonehouse. Pet Nov 12. Ord Nov 12.
 BOWER, WILLIAM, jun, Holmfirth, Yorks, Corn Miller. Huddersfield. Pet Nov 10. Ord Nov 10.
 BRADLEY, ALFRED, Mottram-in-Longendale, Cheshire, Innkeeper. Ashton-under-Lyne and Stalybridge. Pet Nov 11. Ord Nov 11.
 BROWN, HARRY, Kingston on Thames, Mantle Warehouseman. Kingston, Surrey. Pet Oct 13. Ord Nov 11.
 CHITTOCK, BENJAMIN, Eye, Suffolk, Farmer. Ipswich. Pet Oct 19. Ord Nov 8.
 CLARKE, WILLIAM, Luston, Eye, Hereford, Timber Haulier. Leominster. Pet Nov 11. Ord Nov 12.
 CURTIS, ALBERT AUGUSTUS, Gloucester, Chemist. Gloucester. Pet Nov 1. Ord Nov 10.
 DAMON, JOSEPH, Portsea, Builder. Portsmouth. Pet Nov 5. Ord Nov 5.
 DAVIES, HUGH, Corwen, Merioneth, Bootmaker. Wrexham. Pet Nov 10. Ord Nov 10.
 DAVIES, WILLIAM, Haverfordwest, Innkeeper. Pembroke Dock. Pet Nov 10. Ord Nov 10.
 DRAKE, GEORGE, Broughton, Hampshire, Blacksmith. Southampton. Pet Nov 11. Ord Nov 11.
 FENN, ARTHUR GEORGE, Burlington gds, Acton, Civil Engineer. High Court. Pet Nov 12. Ord Nov 12.
 FUNSTON, WILLIAM, Liverpool, Provision Dealer's Assistant. Liverpool. Pet Oct 27. Ord Nov 11.
 GAUNTLET, ALBERT JAMES, Camberwell rd, Grocer. High Court. Pet Nov 11. Ord Nov 11.
 GRASON, RICHARD HENRY, Bradford, Lincs, Builder. Manchester. Pet Nov 10. Ord Nov 10.
 GREEN, FREDERICK THOMAS, Southsea, Grocer. Portsmouth. Pet Nov 9. Ord Nov 9.
 GREEN, WALTER JOSEPH, Bury, Lincs, Mantle Manufacturer. Manchester. Pet Sept 28. Ord Nov 10.
 GUTHRIE, NICHOLAS JOHN, Blyth, Northumberland, Innkeeper. Newcastle on Tyne. Pet Nov 11. Ord Nov 11.
 HONOUR, JOHN, Marston, Oxfordshire, Builder. Oxford. Pet Nov 11. Ord Nov 11.
 HULBERT, FRANCIS RICHARD, High st, Wapping, Licensed Victualler. High Court. Pet Nov 10. Ord Nov 10.

KINGFORD, SAMSON HERBERT CHARLES, Southampton bldgs, Holborn, Clerk. High Court. Pet Sept 19. Ord Nov 11.
 LAYELL, ALFRED, address unknown, Licensed Victualler. High Court. Pet Oct 20. Ord Nov 12.
 LOWE, GEORGE HENRY, West Cowes, I W., Confectioner. Newport and Ryde. Pet Nov 10. Ord Nov 10.
 MANTZ, HEINRICH FREDRICH, Boyd rd, Canning Town, Baker. High Court. Pet Nov 11. Ord Nov 11.
 MARTIN, HARRY EDWARD, Norwich, Grocer. Ipswich. Pet Nov 12. Ord Nov 12.
 NEACH, THOMAS, jun, Sheepshed, Leicestershire, Butcher. Leicester. Pet Nov 10. Ord Nov 10.
 NEALE, MELVILLE THOMPSON, Effie rd, Walham Green, Army Captain. High Court. Pet Aug 10. Ord Nov 11.
 PAGE, JAMES, Hastings, Licensed Victualler. Hastings. Pet Nov 11. Ord Nov 11.
 PARKINSON, EDWARD, Barrow in Farness, Licensed Victualler. Ulverston and Barrow in Farness. Pet Nov 10. Ord Nov 10.
 PARSONS, WILLIAM GREGORY, residence unknown, Accountant. High Court. Pet Oct 12. Ord Nov 11.
 PIDCOCK, HAMILTON, jun, Tower Hill, Clerk. High Court. Pet Oct 14. Ord Nov 11.
 READ, JOSEPH, Westcombe pk, Kent, Lighterman. Greenwich. Pet Nov 11. Ord Nov 11.
 ROOKE, ALGERNON W., Ryder st, St James's, Gent. High Court. Pet Sept 23. Ord Nov 10.
 RUTHERFORD, ROBERT, Framwellgate Moor, nr Durham, Farmer. Durham. Pet Nov 12. Ord Nov 12.
 SCHLEETER, HARRY, Birmingham, Merchant. Birmingham. Pet Oct 31. Ord Nov 11.
 SCOTT, JAMES, Leeds, Knitter. Leeds. Pet Nov 10. Ord Nov 10.
 SHAW, WILLIAM HENRY WOOD, and JOSEPH HERBERT WATTS, Huddersfield, Woolen Cloth Manufacturers. Huddersfield. Pet Nov 11. Ord Nov 11.
 SIDEBOTHAM, JOHN, Wolverhampton, Locksmith. Wolverhampton. Pet Nov 10. Ord Nov 11.
 SIMPSON, JAMES, East Hardwick, nr Pontefract, out of business. Barnsley. Pet Oct 29. Ord Nov 11.
 SYMONS, STEPHEN, Halifax, Innkeeper. Halifax. Pet Nov 8. Ord Nov 12.
 TAITE, JOHN MAGNUS, High st, Poplar, Shipwright. High Court. Pet Nov 12. Ord Nov 12.
 TUFFIN, GEORGE WILLIAM, Clare st, Clare Market, Cheesemonger. High Court. Pet Nov 10. Ord Nov 11.
 TURTON, JOHN ROBERT, Birmingham, out of business. Birmingham. Pet Oct 31. Ord Nov 10.
 TYHURST, WILLIAM, Hailsham, Sussex, Plumber. Eastbourne and Lewes. Pet Nov 11. Ord Nov 11.
 WELLES, GEORGE JOHN, Deal, Publican. Canterbury. Pet Nov 11. Ord Nov 11.

FIRST MEETINGS.
 ABEILL, EDWARD, Newcastle on Tyne, Grocer. Nov 24 at 3. Off Rec, Pink lane, Newcastle on Tyne.
 BAERBELMAN, WILLIAM, Great Tower st, Provision Merchant. Nov 22 at 11. 33, Carey st, Lincoln's inn.
 BAIRD, HUGH, Erdington, Warwickshire, Traveller. Nov 25 at 11. 25, Colmore row, Birmingham.
 BECK, JOHN, Threshfield, Yorks, Farmer. Nov 23 at 12.30. Ship Hotel, Skipton.
 BOWER, WILLIAM, the younger, Holmfirth, Corn Miller. Nov 23 at 11. Haigh & Bradle, Alfred, Mottram in Longendale, Cheshire, Innkeeper. Nov 24 at 2. 15. Townhall, Ashton under Lyne.
 BRITTON, JOHN, Nottingham, Watchmaker. Nov 22 at 3.30. Off Rec, 1, High Pavement, Nottingham.
 BRUNT, JOSEPH BAKER, Cadroxton-juxta-Barry, Glam, Hay Dealer. Nov 25 at 11.30. Off Rec, 3, Crockherbtown, Cardiff.
 CAPE, WILLIAM, Fayehembury, Devon, Bootmaker. Nov 22 at 11.30. Off Rec, 13, Bedford circus, Exeter.
 CHAPMAN, JONATHAN, and JAMES BAKER, Norwich, Bootmakers. Nov 22 at 1. Auction Mart, Tokenhouse yd.
 CHARLES, JOHN MORGAN, Pontliff, Glam, Grocer. Nov 24 at 12. Off Rec, Merthyr Tydfil.
 CHITTOCK, BENJAMIN, Eye, Suffolk, Farmer. Nov 23 at 12.30. Off Rec, 2, Westgate st, Ipswich.
 CURTIS, ALBERT AUGUSTUS, Gloucester, Chemist. Nov 22 at 3. Bell Hotel, Gloucester.
 DAMON, JOSEPH, Portsea, Builder. Nov 28 at 3.30. 169, Queen st, Portsea.
 DENT, JOSEPH HENRY, Nottingham, Grocer. Nov 22 at 12. Off Rec, 1, High Pavement, Nottingham.
 DOWSON, WILLIAM, Durham, Clerk. Nov 22 at 12. Off Rec, 8, Albert rd, Middlesbrough.
 DRAKE, GEORGE, Broughton, Hampshire, Blacksmith. Nov 25 at 11. Off Rec, 4, East st, Southampton.
 EARLAND, MARK CULLOMPTON, Devon, Coach Builder. Nov 23 at 11. Castle of Exeter, Exeter.
 EASTER, HERBERT, Corby, Lincolnshire, Plumber. Nov 23 at 12. Off Rec, 1, High Pavement, Nottingham.
 GREEN, FREDERICK THOMAS, Southsea, Grocer. Nov 22 at 12.30. Chamber of Commerce, 145, Cheapside.
 GUTHRIE, NICHOLAS JOHN, Blyth, Northumberland, Innkeeper. Nov 24 at 2.30. Off Rec, Pink lane, Newcastle on Tyne.
 HALL, JOHN, Gordon terr, Harrow rd, Insurance Agent. Nov 23 at 2.30. 33, Carey st, Lincoln's inn.
 HARRIS, HENRY, Carmarthen, Cabinet Maker. Nov 23 at 2. Off Rec, 11, Quay st, Carmarthen.
 HENDY, THOMAS, Kennington, Berks, Baker. Nov 22 at 11.30. 1, St Aldates, Oxford.
 HOLLINGWORTH, ALBERT, Bradford, Grocer. Nov 22 at 11. Off Rec, 31, Manor row, Bradford.
 JOHNSON, RICHARD, Hereford, Tailor. Nov 25 at 10.15. 2, Offa st, Hereford.
 JONES, DAVID, Rhoslanerchrugog, nr Wrexham, Collier. Dec 13 at 11.45. County Hall, Wrexham.
 JONES, EDMUND ALFRED, Golborne rd, Westbourne pk, Dealer in Clothing. Nov 23 at 11. 35, Carey st, Lincoln's inn.
 JOWETT, JOHN, Burnley, Tea Dealer. Nov 22 at 3. Exchange Hotel, Nicholas st, Burnley.
 JUKES, WILLIAM, Aston juxta Birmingham, Glass Manufacturer. Nov 25 at 3. 25, Colmore row, Birmingham.
 LEECH, MARY, Brighton, Spinster. Nov 22 at 12. Off Rec, 4, Pavilion bldgs, Brighton.
 LILES, JOHN, East Hamlets, Shropshire, Ale Agent. Nov 24 at 10. 15, Corn sq, Leominster.
 LOWE, GEORGE HENRY, West Cowes, I W., Confectioner. Nov 22 at 12. Chamber of Commerce, 145, Cheapside.
 MARTIN, THOMAS, St Gluvias, Cornwall, Innkeeper. Nov 22 at 12. Off Rec, Bosworth st, Truro.
 MCILROY, ISAAC, Clifton, Clerk. Nov 23 at 12. Off Rec, Bank chbrs, Bristol.
 MITCHELSON, HENRY, Godalming, Wine Merchant. Nov 23 at 1. Cannon st Hotel.
 MOORE, GEORGE RICHARD, Thorngate rd, St Peter's pk, no occupation. Nov 24 at 11. 33, Carey st, Lincoln's inn.

PEACH, THOMAS, jud, Sheepshed, Leicester, Butcher. Nov 24 at 12.30. 28, Friar lane, Leicester.
 POTTERTON, THOMAS, Cavendish rd, Balham, Builder. Nov 23 at 3. 100, Victoria st, Westminster.
 RIDLEY, HERBERT, Ipswich, Warehouseman. Nov 23 at 11.30. Off Rec, 2, Westgate st, Ipswich.
 ROLLINGS, ALEXANDER, Newman st, Oxford st, Clerk. Nov 22 at 12. 33, Carey st, Lincoln's inn.
 ROPER, FREDERICK, Halifax, Ironmonger. Nov 24 at 11. Off Rec, Townhall chbrs, Halifax.
 SHAW, JAMES EDWARD, Leeds, Tailor. Nov 24 at 11. Off Rec, 23, Park row, Leeds.
 SHAW, WILLIAM HENRY WOOD, and JOSEPH HERBLETHWAITE, Huddersfield, Woollen Cloth Manufacturers. Nov 28 at 3. Haigh & Son, scolors, New st, Huddersfield.
 SHILLINGFORD, EDWARD ALEXANDER, Telegraph st, Clerk. Nov 22 at 11. 33, Carey st, Lincoln's inn.
 SPECK, JAMES, Bridgend, Glam, Bootmaker. Nov 25 at 12. Off Rec, 3, Crockherbtown, Cardiff.
 VON HAGEN, CHRISTIAN, Lower Sloane st, Chelsea, Baker. Nov 23 at 12. 33, Carey st, Lincoln's inn.
 WALKER, JAMES, Marquess rd, Canonbury. Woollen Agent. Nov 24 at 11. Bankruptcy bldg, Portugal st, Lincoln's inn.
 WOODMAN, JOSEPH, Leighton Buzzard, Innkeeper. Nov 24 at 12.30. Off Rec, Park st West, Luton, Beds.
 WORSLEY, THOMAS CHARLES, Linslade, Bucks, Nurseryman. Nov 24 at 11.30. Off Rec, Park st West, Luton, Beds.
 YATES, GEORGE, Bath, Printer. Nov 22 at 12.30. Off Rec, Bank chbrs, Bristol.

ADJUDICATIONS.

ARNOTT, JOHN, Boston, Lines, Gas Engineer. Boston. Pet Nov 10. Ord Nov 10.
 ARTHUR, SAMUEL REES, Tongwynlais, nr Cardiff, Miller. Cardiff. Pet Nov 8. Ord Nov 9.
 BADGER, WILLIAM JAMES, Allcroft rd, Haverstock hill, Mineral Water Manufacturer. High Court. Pet Nov 7. Ord Nov 12.
 BALL, WALTER, Middlesex st, Aldgate, Baker. High Court. Pet Oct 25. Ord Nov 9.
 BECK, JOHN, Threshfield, Yorks, Farmer. Bradford. Pet Nov 9. Ord Nov 10.
 CAPT, WILLIAM, Payhembury, Devon, Bootmaker. Exeter. Pet Oct 11. Ord Nov 11.
 CHATFIELD, ALBERT SAMUEL, Hampden in Arden, Warwickshire, Butler. Birmingham. Pet Nov 2. Ord Nov 12.
 CLARKE, WILLIAM, Eys, Herefordshire, Timber Haulier. Leominster. Pet Nov 11. Ord Nov 12.
 DAMON, JOSEPH, 13 and 34, Butcher st, Portsea, Hampshire, Builder. Portsmouth. Pet Nov 5. Ord Nov 4.
 DENSHAM, WALTER TEALE, Bude, Cornwall, Jeweller. Barnstaple. Pet Oct 31. Ord Nov 10.
 DOWSON, WILLIAM, Middleton St. George, Durham, Clerk. Stockton on Tees and Middlesbrough. Pet Oct 19. Ord Nov 11.
 DRAKE, GEORGE, Broughton, Hampshire, Blacksmith. Southampton. Pet Nov 11. Ord Nov 11.
 FAWCETT, JOHN F., Northampton, Coal Merchant. Northampton. Pet Aug 25. Ord Oct 27.
 FENN, ARTHUR GEORGE, Burlington gardens, Acton, Engineer. High Court. Pet Nov 12. Ord Nov 12.
 GILBERT, THOMAS, Shawell, Leicestershire, Farmer. Leicester. Pet Oct 23. Ord Nov 11.
 GREEN, FREDERICK THOMAS, Southsea, Grocer. Portsmouth. Pet Nov 9. Ord Nov 9.
 HENDY, THOMAS, Kennington, Berks, Baker. Oxford. Pet Oct 26. Ord Nov 9.

JUKES, WILLIAM, Aston juxta Birmingham, Glass Manufacturer. Birmingham. Pet Oct 19. Ord Nov 12.
 KENT, ARTHUR, Woburn Sands, Buckingham, Wheelwright. Northampton. Pet Oct 7. Ord Oct 27.
 LAMBERT, THOMAS EYRE, Gloucester crescent, Retired Captain in 33th Regiment. High Court. Pet Aug 10. Ord Nov 12.
 LEWIS, JOHN OWEN, Mitcham, Surrey, Florist. Croydon. Pet Sept 22. Ord Nov 9.
 LINTLEY, PETER, Norton, Derby, Builder. Sheffield. Pet Oct 6. Ord Nov 11.
 MARITZ, HEINRICH FREDRICH, Greenville st, Boyd rd, Canning Town, Baker. High Court. Pet Nov 11. Ord Nov 11.
 MARTIN, HARRY EDWARD, Norwich, Grocer. Ipswich. Pet Nov 12. Ord Nov 12.
 MITCHELSON, HENRY, High st, Godalming, Wine Merchant. Guildford and Godalming. Pet Oct 29. Ord Nov 10.
 MOORE, GEORGE RICHARD, Thorngate rd, St Peter's pk, no occupation. High Court. Pet Nov 1. Ord Nov 12.
 PAGE, JAMES, Hastings, Licensed Victualler. Hastings. Pet Nov 11. Ord Nov 11.
 PARKINSON, EDWARD, Barrow in Furness, Licensed Victualler. Ulverston and Barrow in Furness. Pet Nov 10. Ord Nov 10.
 POTTER, HENRY, Leicester, Boot Manufacturer. Leicester. Pet Oct 23. Ord Nov 11.
 READING, JOSEPH, Coleraine rd, Westcombe Park, Kent, Lighterman. Greenwich. Pet Nov 10. Ord Nov 11.
 SHILLINGFORD, EDWARD ALEXANDER, Telegraph st, Clerk. High Court. Pet Sept 30. Ord Nov 7.
 SMELLIE, THOMAS HAIG, St Charles sq, Notting hill. High Court. Pet Aug 18. Ord Nov 12.
 THOMAS, FREDERICK, Crouch Hall rd, Hornsey, Merchant. High Court. Pet Nov 1. Ord Nov 11.
 WALLACE, JAMES JEFFRIES, Philpot lane, Financial Agent. High Court. Pet Aug 17. Ord Nov 10.
 WARD, JOHN LOVETT, jun, Smethwick, Staffs, Spoon Manufacturer. Oldbury. Pet Oct 22. Ord Nov 9.
 WELLES, GEORGE JOHN, Deal, Publican. Canterbury. Pet Nov 11. Ord Nov 11.
 WHITE, G. PRESTON, Queen Anne's gate, Westminster, Gent. High Court. Pet July 18. Ord Nov 11.
 WOODMAN, JOSEPH, Leighton Buzzard, Beds, Innkeeper. Luton. Pet Oct 24. Ord Nov 12.
 WORSLEY, THOMAS CHARLES, Linslade, Bucks, Nurseryman. Luton. Pet Nov 4. Ord Nov 12.

DEATH.

JEVONS.—Nov. 3, at 11, Walmer-road, Birkdale, Southport. Eliza Augusta, the wife of William Alfred Jevons, of Liverpool, solicitor, aged 64.

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